

Diocese of Venice  
Senior Citizen Section 202 Advisory Committee Meeting  
May 16, 2002

Review of Agenda and committee comments held at Casa Santa Marta II, Sarasota, Florida.

1. Informed the group of the Diocese of Venice elderly housing program now in place, which they are part of as Casa Santa Marta II is one of the Dioceses properties.
2. Informed the group about the community interest throughout the Manatee and Sarasota county areas.
3. Discussed the proposed HUD project for the Palmetto area with the group. They were very enthusiastic about the new property.
4. Discussed the groups feelings on the current elderly services available to them. The biggest area of concern was transportation to food and other stores for shopping in communities, such as Casa Santa Marta II, that are located remote from shopping areas.
5. Discussed the proposed building site and building plans, which will be very similar to their building. All were enthusiastic with the discussion.
6. Reviewed rental agreement and resident eligibility criteria with the group with little comments one-way or the other. The general feeling was agreeable with what is in place.
7. Summarized feedback on the following specific questions:

Height of Shower – All thought the height was good, but would like the long flexible showerhead to help them, if and when they need to sit down to shower.

Need for Elevators – This is a must unless all the apartments are on the first floor. The need for a minimum of two elevators was expressed. This building only has one elevator and they complained about the times when it was out of service and they had to walk up and down to their apartments. Some had to stay in the apartment or on the first floor during the outage, as they could not deal with the stairs. The second reason for a second elevator is during times of move-ins and move-outs. The elevator can be in use for long period of time and the other residents are delayed in using it.

Type of Community Space – The lack of adequate common areas is a big issue. The smallness of the multipurpose rooms prevents any more than one-half of the residents to be in it at one time for a function. In the more active buildings, this becomes a problem. They also suggested a separate smaller room for socializing. The lobby seating area is too open for many of them to feel comfortable.

Outside Recreation areas – The all would like a screened porch area outside the building so that they can enjoy the outside in the good weather without being in Florida's direct

sun light and being annoyed by the mosquitoes and other bugs. It could also serve as a smoking area. Others expressed a need for a good walking area that was paved and could accommodate those with walkers. It should be safe and have benches for them to sit on when they get tired. While the suggestion of a pool came up, when pressed as to who would really use it, the subject was dismissed.

Connection with the City Park System – All agreed this would be nice and would give them an outdoor area for activities.

Amount of Parking Needed – This is a big problem for the residents of this building because when you consider visitors, there is not enough parking. Today, more and more seniors are driving longer, some longer than they should, but since it is their last link to independence, they continue to do it until forced to stop. Therefore, they feel that more parking is needed than is presently supplied. They wanted one parking space for each apartment, but after some discussion, agreed that an 80% figure would be adequate.

Type of Security – This is a tough subject and the audience was mixed. Some did not want any type of 24-hour security, as it impeded their independence. Others liked the comfortable feeling of 24-hour security. No consensus could be arrived at on this subject. The general discussion showed that those who were younger and mobile did not see the need for it while those of advanced age or with some medial problems saw it as a comfort factor, as the “aged in place.”

On-site vs. Off-Site Manager – They overwhelmingly voted was for the manager to live off-site. They like their privacy without someone always watching over them.

Color Scheme – While they like the muted color scheme, they thought a more lively color scheme with more pastels would help to brighten up the long hallways.

Entrance System to Communicate with the Residents – All were in favor of this approach.

Emergency Pull Cords – The overall consensus was favorable. However they would like a better system where you did not have to fall or become ill, right next to the pull cord. Since most live alone, the system is useless if you fall in the kitchen or are in the living room and need help. Others thought is made the apartment too “nursing home” like.

Type of Appliances – All liked the appliances supplied. The only additional appliance that was requested was a built in microwave.

Vinyl Floor vs. Carpet – All preferred carpeting in the bedroom and living room and vinyl in the kitchen and bathroom. Quite a few expressed a wish for vinyl in the entryway of the apartment.

Tubs vs. Showers – This subject was definitely lively. The majority agreed with the shower because of the problem seniors have in lifting their legs to get into a tub.

However, for those that enjoy soaking in a tub, they could never agree to having a shower only bathroom. The only solution that was agreed upon by all was to create a shower-tub unit that could be used as either a shower, without having to step over a tub wall, and as a tub for soaking.

Ceiling Fans – All agreed, especially since this is Florida, that ceiling fans should be standard equipment in all apartments. One each in the living room and bedroom.

Number of Fully Accessible Units – They agreed that the present number of one or two per floor was adequate.

HUD rails in hallways – All agreed that handrails in the hallways were a must.

Refrigerator – Side/Side or Upper Lower – Surprisingly, all agreed on the upper/lower arrangement.

Beauty Salon on-site – 100% agreement in favor of having one on site.

Washer/Dryer on Each Floor vs. all on One Floor – All agreed that having laundry facilities available on each floor was better than only on one floor.

Other Design Issues and Recommendations:

Each property should have a Flag Pole.

More storage space is needed in the apartments and/or in the building for residents use.

A Shuffleboard area would be nice to have outside the building.

Front load washers would be appreciated because of their increased load capacity, ease of use and they use less water than a top loader.

Diocese of Venice  
Senior Citizen Section 202 Advisory Committee  
Meeting

Date: 7/16/02

Attendance List

<u>Name</u>	<u>Age</u>	<u>Disabled Y/N</u>
[REDACTED]	74	N
[REDACTED]	72	N
[REDACTED]	76	N
[REDACTED]	75	N
[REDACTED]	79	N
[REDACTED]	72	N
[REDACTED]	78	N
[REDACTED]	78	N
[REDACTED]	85	yes - some
[REDACTED]	83	some
[REDACTED]	81	11
[REDACTED]	65	N
[REDACTED]	81	Y
[REDACTED]	72	N
[REDACTED]	71	N
[REDACTED]	86	yes
[REDACTED]	76	no
[REDACTED]	71	No.

## 3(g) Practical Solutions

### **EXHIBIT 3(g)**

#### **Description of Practical Resident Solutions**

The Lee County project will benefit the community area in several ways which include the following:

- Elderly housing and housing for minority elderly is in great need. The project will provide needed housing for low income elderly.
- The economic impact of a multi-million dollar construction project will be great. It will provide construction jobs, ancillary economic benefit to restaurants, and other service areas.
- The residents will contribute to the economic health of the community because they will be customers in shops, restaurants, food stores.
- Social service programs provided by the Sponsor and carried out from this facility will be available to other low income elderly and minority elderly.

The proposed project will obviously benefit the target population (very low income elderly) and the community in which it will be located by effectively addressing the documented shortage and pent up demand (please refer to information in Exhibit 4(a) of this application) for affordable housing and supportive services for the very low income elderly.

The community will be benefited in that one of the most needy sections of the population will receive affordable housing and related supportive services which are simply not available from the private market. The Sponsor's development and operation of this proposed project will relieve the burden which Lee County governmental services are currently experiencing due to the high percentage of elderly residents in the area. The Sponsor, a model supportive service provider itself, will also coordinate with other supportive service providers in meeting the needs of residents of this proposed project. A detailed description of supportive services which will be provided can be found in Exhibit 4(e) of this application.

As mentioned in Exhibits 4(d)(3) and 4(d)(4), the location of this proposed project is close to a main residential thoroughfare. The site location will provide the residents with access to the amenities required for daily living. Additionally, the sponsor's local church, Blessed Pope John XXIII, is located adjacent to the project. Residents will have access to programs and services provided by this local church. In addition, the Diocese has commitment (see Exhibit 4(e)) to provide a van to help meet residents' transportation needs.

As mentioned in the architectural design narrative provided in Exhibit 4(c)(1), the project will benefit the target population through a design which accommodates the residents as the aging process takes place. As the Diocese of Venice has shown from its past experience as a housing provider for the low-income elderly, it will provide the necessary means for its residents to maintain a higher quality of life with dignity.

The Sponsor is well aware that practical solutions are needed to not only provide housing but to enrich the lives of each and every resident of the proposed HUD 202 facility. These practical solutions include the following;

#### **ACHIEVING INDEPENDENT LIVING**

- Coordinate off-site activities so as to encourage residents to travel outside the project.
- Coordinate transportation opportunities to enable residents to i) attend religious services; ii) shop, iii) visit doctors; and iv) participate in social/recreational functions. The transportation is critical in a resident maintaining their independence.
- Coordinate on-site assistance to enable the residents to remain in their units, even though they may need assistance with activities of daily living.
- Design the units so as to enable residents, who have the ability, to cook and clean their own units. In addition, the design incorporates accessible features so as to foster independence.
- The communal areas are designed to encourage social interaction and resident activities. These are critical components for fostering independence.

#### **PROMOTING EDUCATIONAL OPPORTUNITIES**

In addition to programs of the resident association, the project manager shall, as appropriate and available, schedule and promote the presentation of special entertainment programs for the residents as well as educational programs to foster awareness of the importance of good nutritional habits, health maintenance programs, including preventive medical examinations and procedures, legal matters of particularly vital concern to elderly persons, etc. The availability of such programs and presenters will be assisted by the project manager's active participation in FAHA programs and meetings both at the state and local level and by continuing effective liaison with Catholic Charities and with such local agencies such as the Senior Friendship Center, which provides a number of senior services.

## **ENHANCING THE QUALITY OF RESIDENT LIVES**

- Social/recreational programs offered on-site, in addition to the Sponsor assisting residents in procuring individual support services.
- Social/recreational programs offered off-site in which the Sponsor coordinates transportation to these activities.
- Quality project staff which assists residents in developing their own council and who treat each and every resident with dignity and respect.
- Educational and employment opportunities which are planned/coordinated by the Sponsor. These keep residents mentally alert.
- Projects whose design encourages social interaction and facilitates residents meeting/working together on fun projects.

## **PREVIOUS LIVING CONDITIONS**

The Sponsor has witnessed residents originating from homeless and/or near homeless living conditions. They have witnessed residents in abusive environments with no living options other than staying with the family who is the source of such abuse. The proposed project provides a clean, safe, affordable, and environmentally friendly atmosphere where residents can live comfortably, while enjoying some of the amenities many people take for granted.



## 3(h) Section 3 Requirements

## **EXHIBIT 3(h)**

### **Section 3 Requirements**

In this year's NOFA, HUD is asking the Sponsor to describe how they plan to incorporate the Section 3 requirements into this proposed project with goals for expanding training and employment opportunities for low- and very low-income (Section 3) persons as well as business concerns. This exhibit is optional, but to obtain up to 2 points for this policy priority, the Sponsor must submit this exhibit and adequately address their plans to provide opportunities to train and employ low-and very low-income residents of the project area and award substantial contracts to persons residing in the project area.

#### **PAST PERFORMANCE**

The Sponsor has and will continue to meet the intent of the Section 3 requirements. This is primarily done through the local parish – Blessed Pope John XXIII.

#### **Blessed Pope John XXIII (HUD 202 facility in Lee County)**

Employment – Approximately 51 percent of the staff live within five miles of the community and are low income residents.

Business Concerns – Staff seeks to enter into contracts with nearby businesses. Many of these businesses employ persons from the community who are low income. the following is a partial list of business concerns:

<u>Name</u>	<u>Trade</u>	<u>Distance From Site (miles)</u>	<u>Employee Low/Very-Low Income Residents</u>
Building Systems Evaluation	Security	8	Yes
Electric Unlimited	Electric	2	Yes
Eagle Concrete	Building Supplies	5	Yes
City-Tel	Phone System	7	Yes
Home Depot	Building Supplies	4	Yes

## **CATHOLIC CHARITIES**

The social service arm of the Diocese of Venice is Catholic Charities. The thrust of Catholic Charities is to promote the dignity of every human person who resides within the five-county area of this Diocese by implementing the social dimension of the gospels through the delivery of human services, social advocacy, and convening.

During the year 2008, Catholic Charities provided social services to over 48,000 people in the ten-county Diocese of Venice area. The daunting task of serving needy children, struggling families, lonely elderly, migrant workers and their families, is accomplished by the hard work of a small but committed professional staff supported by a corps of dedicated volunteers and the assistance of thousands of donors, benefactors and friends. Last year's accomplishments included:

- Assisted 27,467 individuals in economic hardship by providing social services including direct assistance, food, clothing, prescription medicines, and case management.
- Promoted freedom of opportunity for 4,227 immigrants and migrants by assisting them with the compliance of U.S. Government regulations.
- Offered educational support to 694 children and 349 adults through one-on-one tutoring and group classes.
- Provided hurricane-related assistance to 611 families devastated by Hurricane Fay.
- Sponsored 245 refugees and their families in their resettlement in Southwest Florida, 83 refugee youth with mentoring services, and provided job training and placement for 2,679 refugees.
- Provided professional, compassionate HIV/AIDS supportive services and education to 818 infected clients and family members.
- Encouraged 989 birth mothers, homeless moms and their children on the road to self-sufficiency.
- Dispensed affordable, professional counseling and addiction services for 1,227 individuals and families in crisis.
- Provided home ownership classes, and housing and foreclosure counseling to 315 families.
- Offered elderly outreach to 262 clients.
- Ensured quality day care and early learning experiences for 49 struggling families.
- Provided affordable housing to 20 mothers and 23 infants/toddlers and 14 HIV/AIDS clients.
- Managed four housing corporations for working poor, special needs, and farm workers in need of an affordable, safe place to live.

Programs provided in Lee County originate out of the Elizabeth Kay Galeana Center of Catholic Charities on Michigan Link Avenue in Ft. Myers.

Although Catholic Charities offers a host of programs and services, some of their best known and most recognized programs involve the minority community. In particular, these programs include:

- Migrant Assistance
- School on Wheels
- Refugee Services
- Housing Assistance
- Hispanic Outreach
- Haitian Outreach
- Food Pantries
- Direct Financial Assistance

The large Hispanic population in the area consists of families who are or have been migrant farm workers. Their work histories frequently change as they migrate to follow the crops. Lack of English skills, due in large part to their mobility, lack of understanding of the financial system, and poor educational background, make them vulnerable to financial and housing abuses. Lee County reports 11,379 foreign-born residents, of which 9,424 are of Hispanic origin. Of the Hispanic residents, 47.5 percent report "not speaking English very well."

Another key component to Catholic Charities' mission is the goal of enhancing the health and wellness of seniors within the community. Senior Services of Catholic Charities offers ongoing case management to elderly living at Villa San Marcos in Venice and Holy Cross Manor in Palmetto. A service coordinator works with residents of these two low-income apartment complexes to enhance successful aging. Seniors are assessed and linked with area community services and medical providers. On-site educational presentations also are arranged to bring the latest information to residents and their families on health and wellness. In Lee County, Senior Services of Catholic Charities offers a telephone reassurance project, case management, health assessment and coordination of in-home services for low-income seniors who are isolated and/or frail persons. This program is offered out of the Elderly Services of Catholic Charities, located in Ft. Myers. As we will see later, a senior support service program will eventually be operated out of the proposed housing project, Blessed Pope John XXIII Manor.

#### **MEETING THE NOFA REQUIREMENTS**

The Sponsor will meet the Section 3 requirements, as stated in the NOFA in two ways.

### **Management Entity**

The management entity who will operate the proposed facility (SPM, LLC) has entered into a Memorandum of Understanding with the Sponsor (see attached). In this MOU, it clearly states how SPM, LLC shall market/outreach to nearby low/very-low income residents when hiring. It also addresses how SPM, LLC shall market/outreach when selecting business concerns. In both instances, SPM, LLC has committed to an approach which will provide opportunities to nearby low/very-low income residents.

### **General Contractor**

The Sponsor has preliminarily identified MES Contractors as the general contractor to work on this project. A Memorandum of Understanding has been entered into which details how the general contractor provides outreach to local residents, and business concerns (see attached). It should be noted that in the event that another general contractor is selected, requirements of this firm will be to sign a similar Memorandum of Understanding as that signed by MES Contractors.

### **POINT AWARD**

Two points are assigned by HUD staff in the following manner:

- 1 Pt: Plans for Training and Employment Opportunities of Low & Very Low Income Persons in Project Area
- 1 Pt: Plans for Awarding Substantial Contracts to Persons Residing in Project Area

*The Sponsor should receive the full two points because of the following reasons:*

- *The Sponsor's proven track record in meeting Section 3 requirements.*
- *The Sponsor's commitment to employing nearby low/very-low income residents via a Memorandum of Understanding with the management entity.*
- *The Sponsor's commitment to awarding contracts to persons in the project area via a Memorandum of Understanding with both the management entity and general contractor.*

## Memorandum of Understanding Section 3 Requirements

This agreement made this 10<sup>th</sup> day of June, 2009 by and between the Diocese of Venice (HUD Section 202 Owner of Phase I (a)) and SPM, LLC (Future Manager of Proposed HUD Section 202 Property).

**WHEREAS** the US Department of HUD is seeking to further its commitment of Section 3 requirements, which involve the training and employing of low and very low income persons, as well as business concerns, from the project area.

**WHEREAS** the US Department of HUD is requiring funding applicants to describe how they will incorporate Section 3 requirements into the proposed project.

**NOW, THEREFORE**, the parties mutually agree as follows:

1. When hiring new employees, SPM, LLC will advertise employment opportunities, associated with the proposed project, to residents of both the proposed project and other nearby projects, by way of posting the opening in communal areas and communicating this information at regularly scheduled resident meetings.
2. When hiring new employees, SPM, LLC will distribute information about the opening to local churches and community groups which are identified in their Affirmative Fair Housing Marketing Plan.
3. When hiring new employees, SPM, LLC will inform existing employees, who currently live within the project area, of the openings in an effort to distribute this information to other nearby residents via "word of mouth".
4. When seeking independent business concerns to perform operational related duties, SPM, LLC will; i) ask employees, who live nearby, for recommendations of business concerns in the immediate area; ii) seek quotes from business concerns who are located in close proximity to the proposed project; and iii) seek quotes from business concerns who advertise in the local paper and who are in close proximity to the proposed project.

IN WITNESS WHEREOF, SPM, LLC and the Diocese of Venice have executed this Contract the date first above written.

  
The Diocese of Venice

6/15/09  
Date

  
SPM, LLC

6/10/09  
Date

## Memorandum of Understanding Section 3 Requirements

This agreement made this 16th day of June, 2009 by and between The Diocese of Venice (HUD Section 202 Sponsor) and MES Contractors (Identified General Contractor responsible for constructing the proposed HUD Section 202 property).

WHEREAS the US Department of HUD is seeking to further its commitment of Section 3 requirements, which involve the training and employing low and very low income persons, as well as business concerns, from the project area.

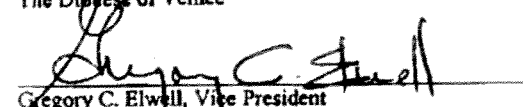
WHEREAS the US Department of HUD is requiring funding applicants to describe how they will incorporate Section 3 requirements into the proposed project.

NOW, THEREFORE, the parties mutually agree as follows:

1. When hiring new employees for the proposed project, the General Contractor will utilize local newspapers to advertise these employment opportunities.
2. When hiring new employees or sub-trades for the proposed project, the General Contractor will distribute information about these employment opportunities to community organizations which are identified in their Affirmative Fair Housing Marketing Plan.
3. When hiring new employees or sub-trades for the proposed project, the General Contractor will post information about these employment opportunities in the local plan room, if available.
4. When hiring new employees or sub-trades for the proposed project, the General Contractor will distribute information about these employment opportunities to the local One-Stop Career Center, if available.
5. When hiring new employees or sub-trades for the proposed project, the General Contractor will communicate this information to on-site employees with the hopes of identifying other nearby employees via "word of mouth".
6. It should be noted that the General Contractor is responsible for all hiring of employees and sub-trades and that any employees and/or sub-trades must meet the hiring requirements as set forth by MES Contractors.
7. The General Contractor will invite from its extensive data base only those subcontractors and material vendors who are located geographically within fifty (50) miles of the project location, unless a specialized subtrade/material vendor required for project construction is not located within this geographic zone.
8. The General Contractor will include this memorandum of understanding in all project invitations to bid documents.

IN WITNESS WHEREOF, The Diocese of Venice and MES Contractors have executed this Contract the date first above written.

  
The Diocese of Venice

  
Gregory C. Elwell, Vice President  
McIntyre Elwell & Strummer General Contractors, Inc.

6-16-09  
Date

6/16/09  
Date

**DEED OF CONSERVATION EASEMENT**

THIS DEED OF CONSERVATION EASEMENT is given this \_\_\_\_ day  
of \_\_\_\_ 20\_\_\_\_ by JOHN J. NEVINS  
BISHOP OF THE DIOCESE OF VENICE  
(address) 1000 PINEBROOK ROAD  
VENICE, FL 34292

("Grantor") to the South Florida Water Management District ("Grantee"). As used herein, the term Grantor shall include any and all heirs, successors or assigns of the Grantor, and all subsequent owners of the "Property" (as hereinafter defined) and the term Grantee shall include any successor or assignee of Grantee.

**WITNESSETH**

WHEREAS, the Grantor is the owner of certain lands situated in LEE County, Florida, and more specifically described in Exhibit A attached hereto and incorporated herein ("Property"); and

WHEREAS, the Grantor desires to construct (name of project) BLESSON  
POPE JOHN XXIII ("Project") at a site in LEE County, which is subject to the regulatory jurisdiction of South Florida Water Management District ("District"); and

WHEREAS, District Permit No. \_\_\_\_\_ ("Permit") authorizes certain activities which affect surface waters in or of the State of Florida; and

WHEREAS, this Permit requires that the Grantor preserve and/or mitigate wetlands under the District's jurisdiction; and

WHEREAS, the Grantor has developed and proposed as part of the permit conditions a conservation tract and maintenance buffer involving preservation of certain wetland and/or upland systems on the Property; and

WHEREAS, the Grantor, in consideration of the consent granted by the Permit, is agreeable to granting and securing to the Grantee a perpetual conservation easement as defined in Section 704.06, Florida Statutes, over the Property.

NOW, THEREFORE, in consideration of the issuance of the Permit to construct and operate the permitted activity, and as an inducement to Grantee in issuing the Permit, together with other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, Grantor hereby grants, creates, and establishes a perpetual conservation easement for and in favor of the Grantee upon the Property which shall run with the land and be binding upon the Grantor, and shall remain in full force and effect forever.

The scope, nature, and character of this conservation easement shall be as follows:



1. It is the purpose of this conservation easement to retain land or water areas in their natural, vegetative, hydrologic, scenic, open, agricultural or wooded condition and to retain such areas as suitable habitat for fish, plants or wildlife. Those wetland and/or upland areas included in the conservation easement which are to be enhanced or created pursuant to the Permit shall be retained and maintained in the enhanced or created conditions required by the Permit.

To carry out this purpose, the following rights are conveyed to Grantee by this easement:

a. To enter upon the Property at reasonable times with any necessary equipment or vehicles to enforce the rights herein granted in a manner that will not unreasonably interfere with the use and quiet enjoyment of the Property by Grantor at the time of such entry; and

b. To enjoin any activity on or use of the Property that is inconsistent with this conservation easement and to enforce the restoration of such areas or features of the Property that may be damaged by any inconsistent activity or use.

2. Except for restoration, creation, enhancement, maintenance and monitoring activities, or surface water management improvements, which are permitted or required by the Permit, the following activities are prohibited in or on the Property:

a. Construction or placing of buildings, roads, signs, billboards or other advertising, utilities, or other structures on or above the ground;

b. Dumping or placing of soil or other substance or material as landfill, or dumping or placing of trash, waste, or unsightly or offensive materials;

c. Removal or destruction of trees, shrubs, or other vegetation, except for the removal of exotic or nuisance vegetation in accordance with a District approved maintenance plan;

d. Excavation, dredging, or removal of loam, peat, gravel, soil, rock, or other material substance in such manner as to affect the surface;

e. Surface use except for purposes that permit the land or water area to remain in its natural condition;

f. Activities detrimental to drainage, flood control, water conservation, erosion control, soil conservation, or fish and wildlife habitat preservation including, but not limited to, ditching, diking and fencing;

g. Acts or uses detrimental to such aforementioned retention of land or water areas;

h. Acts or uses which are detrimental to the preservation of any features or aspects of the Property having historical or archaeological significance.

3. **Passive Recreational Facilities.** Grantor reserves all rights as owner of the Property, including the right to engage in uses of the Property that are not prohibited herein and that are not inconsistent with any District rule, criteria, the Permit and the intent and purposes of this Conservation Easement. Passive recreational uses that are not contrary to the purpose of this conservation easement may be permitted upon written approval by the District.
  - a. The Grantor may conduct limited land clearing for the purpose of constructing such pervious facilities as docks, boardwalks or mulched walking trails. Grantor shall submit plans for the construction of the proposed facilities to the District for review and written approval prior to construction.
  - b. The construction and use of the approved passive recreational facilities shall be subject to the following conditions:
    - i. Grantor shall minimize and avoid, to the fullest extent possible, impact to any wetland or upland buffer areas within the Conservation Easement Area and shall avoid materially diverting the direction of the natural surface water flow in such area;
    - ii. Such facilities and improvements shall be constructed and maintained utilizing Best Management Practices;
    - iii. Adequate containers for litter disposal shall be situated adjacent to such facilities and improvements and periodic inspections shall be instituted by the maintenance entity, to clean any litter from the area surrounding the facilities and improvements;
    - iv. This conservation easement shall not constitute permit authorization for the construction and operation of the passive recreational facilities. Any such work shall be subject to all applicable federal, state, District or local permitting requirements.
4. No right of access by the general public to any portion of the Property is conveyed by this conservation easement.
5. Grantee shall not be responsible for any costs or liabilities related to the operation, upkeep or maintenance of the Property.
6. Grantor shall pay any and all real property taxes and assessments levied by competent authority on the Property.
7. Any costs incurred in enforcing, judicially or otherwise, the terms, provisions and restrictions of this conservation easement shall be borne by and recoverable against the nonprevailing party in such proceedings.

8. Enforcement of the terms, provisions and restrictions of this conservation easement shall be at the reasonable discretion of Grantee, and any forbearance on behalf of Grantee to exercise its rights hereunder in the event of any breach hereof by Grantor, shall not be deemed or construed to be a waiver of Grantee's rights hereunder.

9. Grantee will hold this conservation easement exclusively for conservation purposes. Grantee will not assign its rights and obligations under this conservation easement except to another organization qualified to hold such interests under the applicable state laws.

10. If any provision of this conservation easement or the application thereof to any person or circumstances is found to be invalid, the remainder of the provisions of this conservation easement shall not be affected thereby, as long as the purpose of the conservation easement is preserved.

11. All notices, consents, approvals or other communications hereunder shall be in writing and shall be deemed properly given if sent by United States certified mail, return receipt requested, addressed to the appropriate party or successor-in-interest.

12. This conservation easement may be amended, altered, released or revoked only by written agreement between the parties hereto or their heirs, assigns or successors-in-interest, which shall be filed in the public records in LEE County.

TO HAVE AND TO HOLD unto Grantee forever. The covenants, terms, conditions, restrictions and purpose imposed with this conservation easement shall be binding upon Grantor, and shall continue as a servitude running in perpetuity with the Property.

Grantor hereby covenants with said Grantee that Grantor is lawfully seized of said Property in fee simple; that the Property is free and clear of all encumbrances that are inconsistent with the terms of his conservation easement and all mortgages have been joined or subordinated; that Grantor has good right and lawful authority to convey this conservation easement; and that it hereby fully warrants and defends the title to the conservation easement hereby conveyed against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF,  
hand this 26 day of JANUARY 2004 has hereunto set its authorized

Signed, sealed and delivered  
in our presence as witnesses:

John J. Nevins  
Print Name:

JOHN J. NEVINS  
Print Name:

A Florida corporation

By:

F. JOHN J. NEVINS  
Print Name:

Title:

Chairman

STATE OF FLORIDA

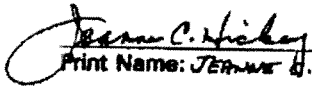
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COUNTY OF SARASOTA

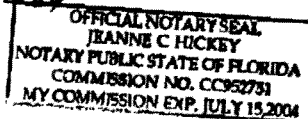
On this 26 day of JANUARY, 2004, before me, the undersigned notary public, personally appeared JOHN J. NEVIN, personally known to me to be the person who subscribed to the foregoing instrument and did not take an oath, as the (position) Bishop, of (corporation) DIOCESE OF VENICE, a Florida corporation, and acknowledged that he executed the same on behalf of said corporation and that he was duly authorized to do so.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

NOTARY PUBLIC, STATE OF FLORIDA

  
Print Name: Jeanne C. Hickey

My Commission Expires:



South Florida Water Management District  
Legal Form Approved: SFWMD - June, 2000

T3-17

(This page reserved.)

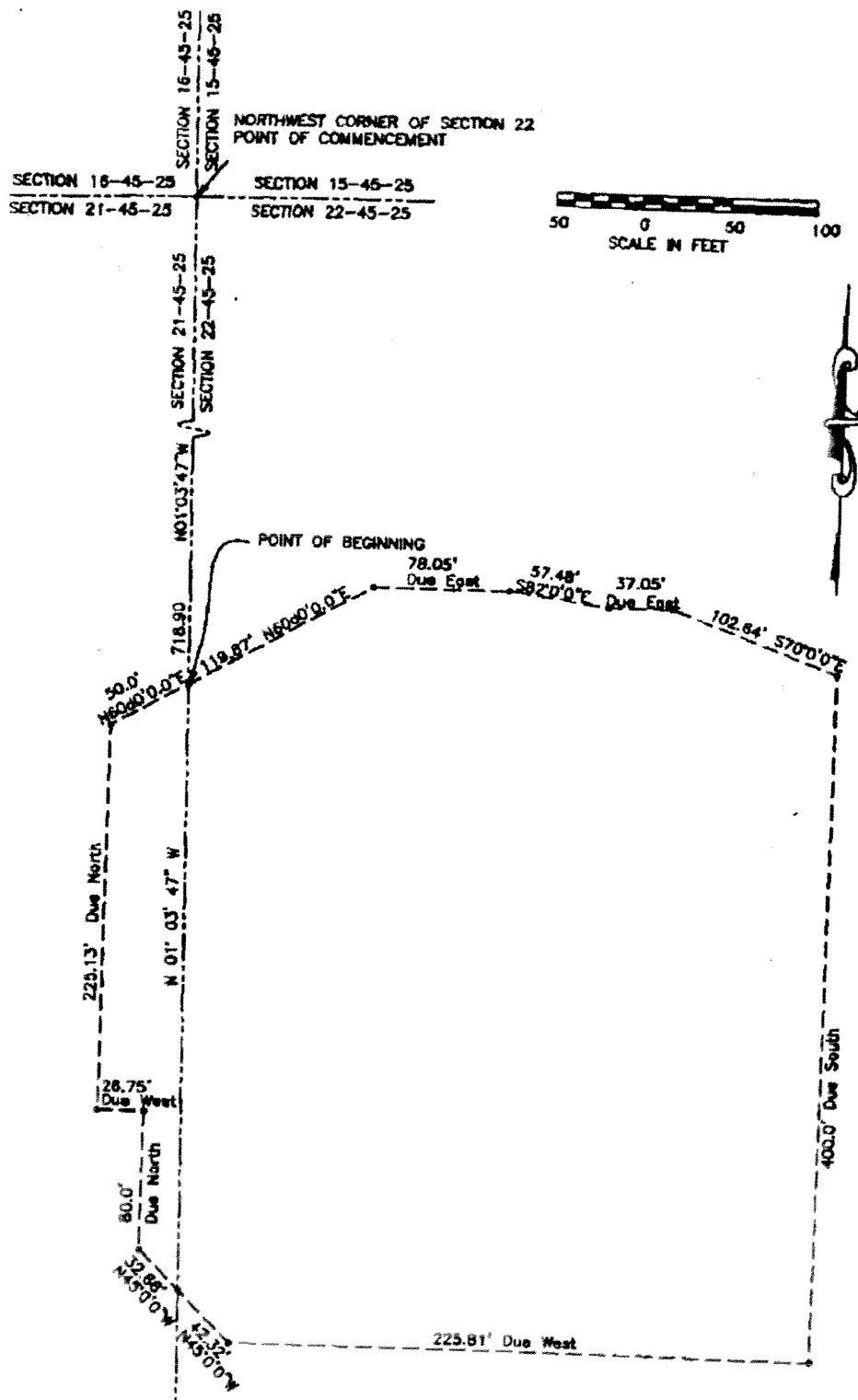
TJ-18

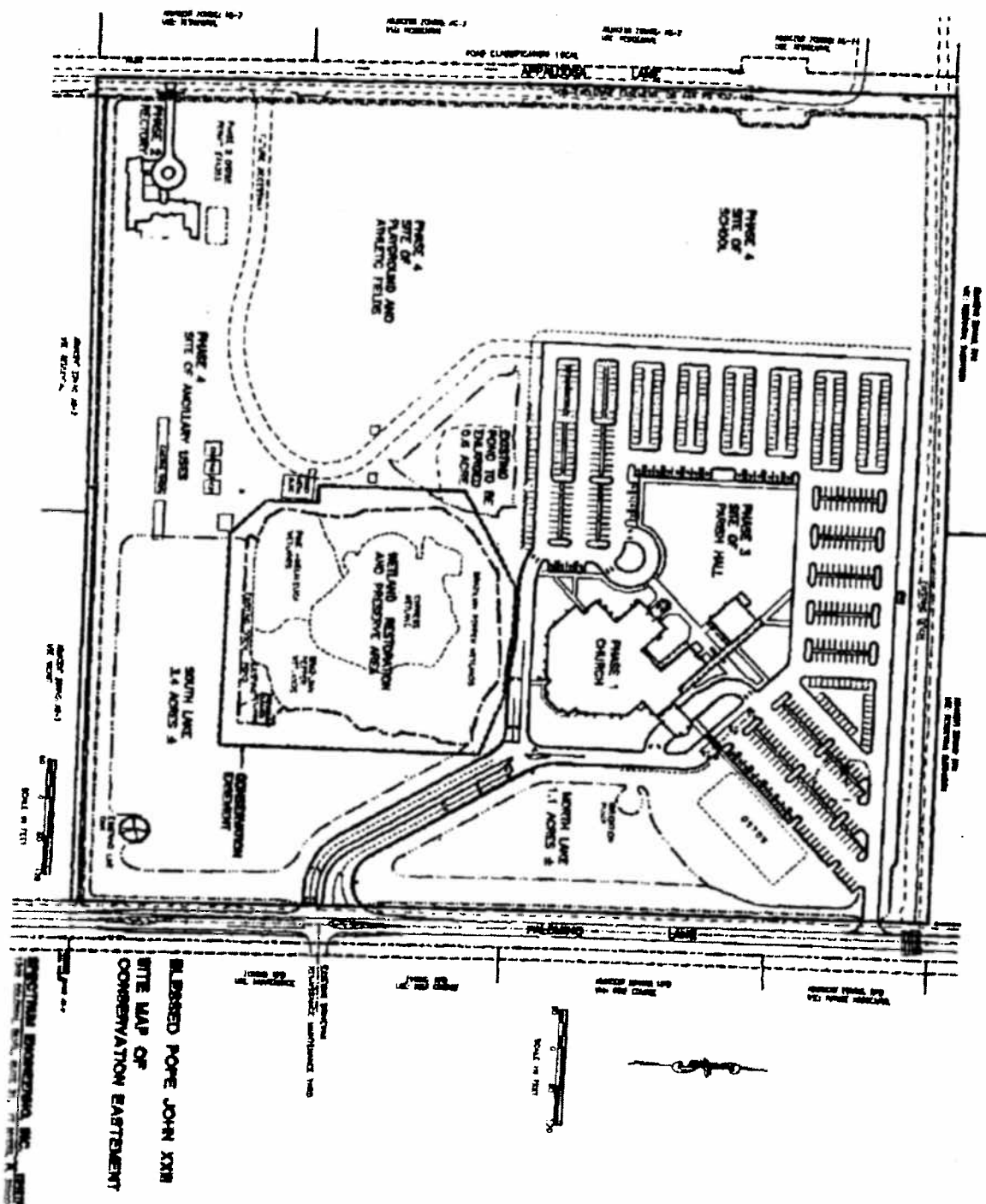
**EXHIBIT A**

An easement contained within a parcel in Sections 21 and 22, township 45S, range 25E, Lee County, Florida, being more particularly described as follows:

Commencing at the northwest corner of Section 22, Township 45S, range 25E, run 718.90 feet, S 1°3'48.4" E along the west line of said Section 22 to the Point of Beginning of the easement. Thence 119.87 feet, N 60°0'0.0" E, Thence 78.05 feet, Due East, Thence 57.48 feet, S 82°0'0" E, Thence 37.05 feet, Due East, Thence 102.64 feet, S 70°0'0" E, Thence 400.00 feet, Due South, Thence 335.81 feet, Due West, Thence 42.32 feet, N 45°0'0" W to a point on said west line of Section 22, Thence continue 32.68 feet, N 45°0'0" W, Thence 80.00 feet, Due North, Thence 26.75 feet, Due West, Thence 225.13 feet, Due North, Thence 50.00 feet, N 60°0'0" E to the Point of Beginning.

Containing 3.9 acres, more or less.







24



This Instrument Prepared By:  
Lee County Utilities  
1500 Monroe Street - 3<sup>rd</sup> Floor  
Fort Myers, Florida 33901

INSTR # 6780042  
OR BK 04700 Pgs 1737 - 1744; (8pgs)  
RECORDED 05/03/2005 09:23:20 AM  
CHARLIE GREEN, CLERK OF COURT  
LEE COUNTY, FLORIDA  
RECORDING FEE 69.50  
DEED DOC 8.70  
DEPUTY CLERK T Baer

Strap Number:

22-45-25-00-00001.0100

THIS SPACE RESERVED FOR RECORDING

### GRANT OF PERPETUAL PUBLIC UTILITY EASEMENT

THIS INDENTURE is made and entered into this 19<sup>th</sup> day of April  
20<sup>05</sup> by and between John J. Nevins, as Bishop of the Diocese of Venice, a  
Corporation Sole, Owner, hereinafter referred to as GRANTOR(S), and LEE COUNTY,  
a political sub-division of the State of Florida, hereinafter referred to as GRANTEE.

⑥

#### WITNESSETH:

1. For and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged and accepted, GRANTOR hereby grants, bargains, sells and transfers to the GRANTEE, its successors and assigns, a perpetual public utility easement situated in Lee County, Florida, located and described as set forth in Exhibit "A", attached hereto and made a part hereof.

2. GRANTEE, its successors, appointees and assigns, are granted the right, privilege, and authority to construct, replace, renew, extend and maintain a wastewater collection and/or water distribution system, together with, but not limited to, all necessary service connections, manholes, valves, fire hydrants, lift stations and appurtenances, to be located on, under, across and through the easement which is located on the property described (Exhibit "A"), with the additional right, privilege and authority to remove, replace, repair and enlarge said system, and to trim and remove roots, trees, shrubs, bushes and plants, and remove fences or other improvements which may affect the operation of lines, mains and/or utility facilities.

C10g  
4-19-05

LEE COUNTY  
FOURTH DISTRICT, FLORIDA

7721 Public Utility Easement Grant - County.doc

(Page 1 of 5)

3. The public utility easement will not be limited to any particular diameter size or type and/or number of connections to other water/sewer mains for providing water/sewer service to this and any adjacent properties. The total area of this public utility easement is reserved for utility lines, mains, or appurtenant facilities and for any landscaping (excluding trees), walkways, roadways, drainage ways, or similar uses. Houses, fences, buildings, carports, garages, storage sheds, overhangs, or any other structures or portions of structures may not be constructed on or placed within this easement at anytime, present or future, by GRANTOR, or its heirs, successors or assigns.

4. Title to all utilities constructed and/or placed hereunder by GRANTEE or its agents will remain in the GRANTEE, GRANTEE's successors, appointees, and/or assigns.

5. Subject to any pre-existing easements for public highways or roads, railroads, laterals, ditches, pipelines and electrical transmission or distribution lines and telephone and cable television lines covering the land herein described, GRANTOR(S) covenant that they are lawfully seized and possessed of the described real property (Exhibit "A"), have good and lawful right and power to sell and convey it, and that the said property is free from any and all liens and encumbrances, except as herein stated, and accordingly, GRANTOR(S) will forever defend the right, title and terms of this said easement and the quiet possession thereof by GRANTEE against all claims and demands of all other entities.

6. GRANTOR(S), its heirs, successors or assigns, agrees to assume all liability for any consequential damages to any houses, fences, buildings, carports, garages, storage sheds, overhangs, or any other structures or portions of structures subsequently constructed by GRANTOR(S) in violation of paragraph 3. within the above easement, which result from the required activities of the GRANTEE for any construction, maintenance or repairs to the utilities located within the above-described easement.

7. GRANTEE will be liable for money damages in tort for any injury to or loss of property, personal injury, or death caused by the negligent or wrongful act(s) or omission(s) of any official or employee of the GRANTEE while acting within the scope of the official's or employee's office or employment under circumstances in which a private person would be found to be liable in accordance with the general laws of the State of Florida, and subject to the limitations as set out in Section 768.28, Florida Statutes, as it may be revised, amended or renumbered from time to time.

8. GRANTEE will have reasonable right of access across GRANTOR's property for the purposes of reaching the described easement (Exhibit "A") on either paved or unpaved surfaces. Any damage to GRANTOR's property or permitted improvements thereon as the result of such access to the described easement or the construction, maintenance, or repairs located within the described easement shall be restored by GRANTEE, to the condition in which it existed prior to the damage, as is reasonably practicable.

9. By acceptance of this easement, the GRANTEE assumes no responsibility for ownership or maintenance of any associated roads. The easement is strictly for utility purposes.

10. This easement will be binding upon the parties hereto, their successors in interest and any assigns.

(Balance of Page Left Intentionally Blank)

---

IN WITNESS WHEREOF, the GRANTOR has caused this document to be signed on the date and year first above written.

Evelyn Carl   
[1<sup>st</sup> Witness' Signature]

EVELYN CORL   
[Type or Print Name]

Dorothy Vieira   
[2<sup>nd</sup> Witness' Signature]

Dorothy Vieira   
[Type or Print Name]

BY:  Volodymyr Smeryk   
[Signature Grantor's/Owner's]

Volodymyr Smeryk   
[Type or Print Name]

Chancellor - Diocese of Venice   
[Title]

As attorney-in-fact for  
John J. Nevins, Bishop of the Diocese  
of Venice

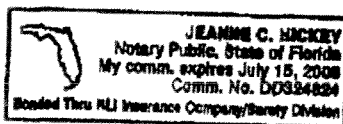
STATE OF FLORIDA

COUNTY OF  SARASOTA

The foregoing instrument was signed and acknowledged before me this  2<sup>nd</sup>   
day of  FEBRUARY 2006  by  \*Volodymyr SMERYK   
who produced the following as identification  
 or is personally know to me.

and who did/did not take an oath. \*Volodymyr Smeryk, Chancellor of the Diocese of Venice,  
as attorney-in-fact for John J. Nevins, Bishop of the  
Diocese of Venice

[stamp or seal]



Jeanne C. Hickey   
[Signature of Notary]

JEANNE C. HICKEY   
[Typed or Printed Name]

Approved and accepted for and on behalf of Lee County, Florida, this 19th  
day of April, 2005.

ATTEST:  
CHARLIE GREEN, CLERK

BY: Michelle S. Cooper  
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

BY: [Signature]  
Chairman



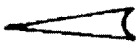
APPROVED AS TO FORM

BY: [Signature]  
Office of the County Attorney

I HEREBY CERTIFY THAT THIS SKETCH AS SHOWN IS A TRUE REPRESENTATION OF THE PARCEL HEREON DESCRIBED AS TO THE BEST OF MY KNOWLEDGE AND BELIEF.

JAMES R. STARNES, JR. 4889  
PROFESSIONAL LAND SURVEYOR  
STATE OF FLORIDA

NOTE: (1). THIS SKETCH IS NOT A SURVEY.  
(2). THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.



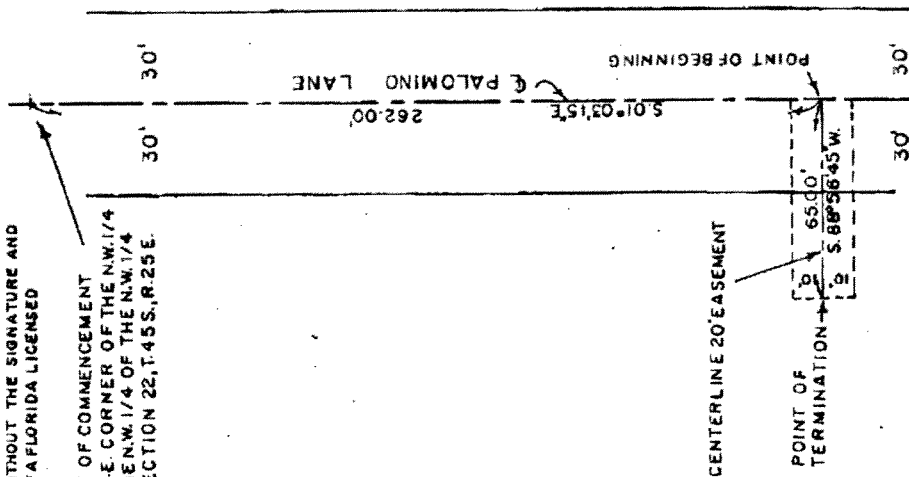
SCALE: 1" = 40'

# LEGAL DESCRIPTION AS PER STARNES SURVEYING, INC. UTILITY EASEMENT

AN EASEMENT LOCATED IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

COMMENCING AT THE NORTHEAST CORNER OF SAID FRACTION OF A SECTION; THENCE RUN S.01°03'15"E. ALONG THE EAST LINE OF SAID FRACTION OF A SECTION FOR 262.00 FEET TO THE POINT OF BEGINNING OF THE CENTERLINE OF A 20 FOOT WIDE EASEMENT.

FROM SAID POINT OF BEGINNING RUN S.88°56'45"W. ALONG SAID CENTERLINE FOR 65.00 FEET TO THE POINT OF TERMINATION OF SAID EASEMENT.



SHEET \_\_\_\_ OF \_\_\_\_

FOR: \_\_\_\_\_  
DATE: 2-1-05  
PHONE: (841) 543-3335

Starnes Surveying, Inc. L.B. 6768  
SURVEYING-ENGINEERING-LAND PLANNING  
18571 DURRANCE RD-N. FT. MYERS, FL 33917

CERTIFIED SKETCH  
FIELD BOOK \_\_\_\_\_ W.O. NUMBER \_\_\_\_\_  
PAGE \_\_\_\_\_ 5543

**COPY**

(DO NOT RECORD AGAIN)

INSTR # 6240619  
ON RE 04271 Pgs 1400 - 1401 (2pgs)  
RECORDED 04/07/2004 14:00:39 PM  
CHARLIE SMITH, CLERK OF COURT  
LEE COUNTY, FLORIDA  
RECORDING FEE 14.00  
DEPUTY CLERK S. Schaeffer

**POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS,

THAT I, **JOHN I. NEVINS, AS BISHOP OF THE DIOCESE OF VENICE, A CORPORATION SOLE,**

do hereby make, constitute and appoint

**VOLODYMYR SMERYK  
CHANCELLOR OF THE DIOCESE OF VENICE**

as my true and lawful attorney for me and in my name, to execute any and all instruments on behalf of the Corporation Sole, including contracts, leases, encumbrances, satisfactions and conveyances of every kind, nature and description whatsoever, specifically including any instruments pertaining to real estate which may be owned by the Corporation Sole; and to act on behalf of and in place of the Grantor in all matters, but without granting the power of substitution.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 6<sup>th</sup> day of APRIL, 2004.

Signed, sealed and delivered  
in the presence of:

*John I. Nevins*  
*Emily Lucia*

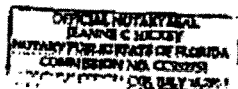
*John I. Nevins*  
JOHN I. NEVINS, as Bishop of the Diocese of  
Venice, a Corporation Sole

COPY

STATE OF FLORIDA

COUNTY OF SARASOTA

The foregoing instrument was acknowledged before me this 6<sup>th</sup> day of  
APRIL, 2004 by JOHN J. MEVINS, AS BISHOP OF THE DIOCESE OF  
VENICE, A CORPORATION SOLB, who is personally known to me or who has produced  
\_\_\_\_\_ as identification.



*Jeanne C. Hickox*  
Notary Public

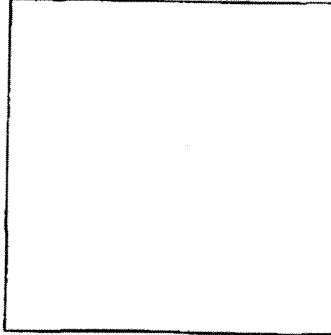
Jeanne C. Hickox  
Print Name of Notary

My Commission Expires: July 15, 2004

This instrument prepared by:  
DiVito & Higgins, P.A.  
4514 Coastal Ave.  
St. Petersburg FL 33711



NOTICE OF DEVELOPMENT ORDER APPROVAL



(Clerk Of Court Use Only)

In accordance with Chapter 10 of the Lee County Land Development Code, a Development Order No. DOS2003-00219, has been approved and issued to John J. Nevins, Bishop, Diocese Venice, for the following property in Lee County, Florida.

(See Attached)

[For reference only]

Current Project Name : Blessed Pope John XXIII

Current Applicable Strap Numbers: 22-45-25-00-00001.0100/0160 and  
21-45-25-01-00000.0310/0320

This document is recorded to serve notice that any improvement to land, including but not limited to grading, drainage, construction of buildings or structures, or division of the property described above into smaller parcels shall be done in accordance with the above referenced Development Order. Improvements to the land described above has been approved in the Development Order.

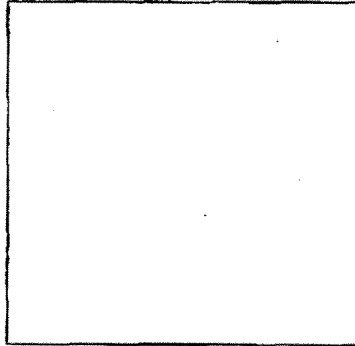
ANY SALE OR PURCHASE OF ANY PORTION OF THE LAND SUBJECT TO THIS DEVELOPMENT ORDER MAY TRIGGER THE NEED FOR A NEW DEVELOPMENT ORDER, EXEMPTION, OR SUBDIVISION PLAT BEFORE ANY BUILDING PERMITS, OCCUPANCY PERMITS, OR OTHER APPROVALS MAY BE GRANTED.

**CAUTION** The Approved Development Order is not an approved subdivision plat and should not be construed as such. The sale and purchase of land subject to this Development Order should contain a legal description other than mere reference to the Development Order. A separate subdivision plat may also be recorded in the public records of Lee County. The contents of the approved Development Order are on file with the Lee County Development Services Division.

Director, Development Services  
Division or Designee

NOTICE OF DEVELOPMENT ORDER APPROVAL  
Page 2

Case No. DOS2003-00219



(Clerk of Court Use Only)

LEGAL DESCRIPTION

A TRACT OR PARCEL OF LAND LYING IN SECTIONS 21 AND 22, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA. BEING TRACTS 31, 32, 33A, 33B AND 33C OF COLONIAL RANCHETTES, INC., UNIT #1 OF AN UNRECORDED SUBDIVISION. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 21; THENCE RUN S.88°42'32"W. ALONG THE NORTH LINE OF SAID SECTION 21 FOR 681.425 FEET TO THE NORTHWEST CORNER OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 21; THENCE RUN S.01°04'07"E. FOR 1,323.44 FEET TO THE SOUTHWEST CORNER OF SAID FRACTION OF A SECTION; THENCE RUN N.88°42'03"E. FOR 681.30 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION OF A SECTION AND THE SOUTHWEST CORNER OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 22; THENCE RUN N.89°34'27"E. FOR 614.83 FEET TO THE WEST RIGHT OF WAY LINE OF PALMINGO ROAD ( 30 FEET FROM CENTERLINE ); THENCE RUN N.01°03'15"W. ALONG SAID RIGHT OF WAY LINE FOR 1,323.36 FEET TO THE NORTH LINE OF SAID FRACTION OF A SECTION; THENCE RUN S.89°34'22"W. FOR 615.04 FEET TO THE POINT OF BEGINNING.

SAID PARCEL IS SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHT OF WAYS OF RECORD.

SAID PARCEL CONTAINS 19.14 ACRES MORE OR LESS.

## 4(d)(iii) Zoning

**EXHIBIT 4(d)(iii)**  
**Evidence of Permissible Zoning**

**The proposed project is consistent with the future land use, and the Sponsor secured a zoning change to allow the proposed project. This zoning change was granted by the Lee County Board of County Commissioners on November 2<sup>nd</sup> (see attached agenda and letter confirming this, along with a copy of the Hearing Examiner's recommendation for approval).**

The property is located within the Outlying Suburban Future Land Use Category, which permits a standard residential density range from 1 to 3 dwelling units per acre. No bonus density is permitted in this land use category. Per the Lee Plan and Lee County Land Development Code, the entire 39.4 acre church campus can be used as density for the proposed project, which is considered an accessory use to the religious facility. This means that the 68 units are allowed on the proposed site, which equates to a density of 1.72 units per acre. It should also be noted that although the entire site was used when calculating the density, the proposed project will have its own parcel separate from the church under separate ownership, as required by HUD.



**LEE COUNTY**  
**SOUTHWEST FLORIDA**

**BOARD OF COUNTY COMMISSIONERS**

Bob Jones  
*District One*

A. Brian Bigelow  
*District Two*

Ray Judah  
*District Three*

Tammy Hall  
*District Four*

Frank Mann  
*District Five*

Karen B. Hawes  
*County Manager*

David M. Owen  
*County Attorney*

Diana M. Parker  
*County Hearing Examiner*

November 2, 2009

Ms. Veronica Martin  
TDM Consulting  
6810 Porto Fino Circle  
Fort Myers, FL 33912

Ms. Martin:

I am writing to confirm what happened this morning. The Lee County Board of County Commissioners unanimously approved the Hearing Examiner's recommendation to amend the zoning to include 68 units of multi-family housing for the aged. The case number is DCI2009-00015. Our staff will stamp the Master Concept Plan received Oct. 22, 2009 approved. The property is zoned Community Facilities Planned Development (CFPD), as amended, including housing for the aged.

Thank you and let me know if you have any questions or concerns regarding this matter.

Sincerely,

Tony Palermo, AICP  
Senior Planner  
Lee County Zoning Division



LEE COUNTY BOARD OF COUNTY COMMISSIONERS

ZONING HEARING AGENDA

Monday, November 2, 2009

REZ2009-00004

Z-09-031

HINSON PROPERTY

DCI2009-00015

Z-09-029

BLESSED POPE JOHN XXIII AMEND

[Home](#)[Status](#)[Parcel](#)[Help](#)**View Case Status**

The information below summarizes the permit/case you selected.

Case Number	Type of Request	<u>Resolution/Ordinance #</u>	Final Decision	Status
DCI2009-00015	PD Amendment	Z-09-029	Not Available	<u>Received</u>

**Project Name:** BLESSED POPE JOHN XXIII AMEND

**Planning Community:** Daniels Parkway

**Jurisdiction:** Lee County

**Address:** 13060 PALOMINO LN FORT MYERS 33912

**Strap #:** 22452500000010100

**Location:** 13060 Palomino Lane, Daniels Parkway Planning Community, Lee County, FL.

**Description:** Amend the Zoning Resolution No. Z-03-023, Blessed Pope John XXIII Catholic Church Community Facilities Planned Development (CFPD), to modify the master concept plan and schedule of uses to add housing for the aged (maximum 68 units) and remove the school use. The property is 39.4± acres. Maximum building height is 3 stories/60 feet. Development will connect to public potable water and sanitary sewer service. No development blasting is requested.

**Planner:** Tony Palermo, **Phone:** 239-533-8325  
AICP

**Received:** 4/30/2009

**LC HEX/BS ZB/FMB LPA Date:** 8/14/2009 **LC BCC/BS CC/FMB TC Date:** 11/2/2009

**People**

Role	Name	Address
Owner	DEWANE FRANK J	PO BOX 2006 VENICE FL 34284
Applicant	BLESSED POPE JOHN XX111 CATHOLIC CH	13060 PALOMINO LANE FORT MYERS FL 33912
Planner	MR. TONY PALERMO	
Agent	KRIS SLOSSER	4642 VILLA CAPRI LN BONITA SPRINGS FL 34134
Agent	HENRY WOODROFFE	5005 WEST LAUREL STREET STE. 215 TAMPA FL 33607
Agent	MS VERONICA MARTIN	6810 PORTO FINO CIRCLE FORT MYERS FL 33912

**Activities**

Type	Hearing Date	Completed	Disposition
PDA Application (PD Amendment)			<u>CONT</u>
<i>Comments: bcc nov 2.</i>			
Application Deemed Sufficient		6/10/2009	<u>DONE</u>
HEX Date Established	8/14/2009	8/6/2009	<u>DONE</u>
<i>Comments: At the original HEX hearing, August 5, 2009, this case was continued to August 14, 2009 for submission of material only - NO hearing will be held and NO testimony will be heard</i>			
HEX Recommendation Rec'd (A)		10/5/2009	<u>APPR</u>
BCC Date Established (F)	11/2/2009	10/13/2009	<u>DONE</u>
HEX Notice/Agenda Dist. (A)		7/21/2009	<u>DONE</u>

Resolution Number Assigned (F)	7/15/2009	<u>DONE</u>
Comments: Z-09-029		
Distribute Staff Report (A)	7/22/2009	<u>DONE</u>
BCC Final Agenda Distr. (A)	10/20/2009	<u>DONE</u>

Fees		
Item	Fee Amount	Fee Remaining
PD Amendments	5,000.00	0.00
<b>Total</b>	<b>\$5,000.00</b>	<b>\$0.00</b>

**The total fee due on this permit/application is \$0.00**

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**Documents for Activities**

BCC Final Agenda Distr. (A)	<u>BCC FINAL AGENDA</u>	(0 bytes)
Distribute Staff Report (A)	<u>PDF VERSION OF FINALIZED STAFF REPORT</u>	(0 bytes)
HEX Notice/Agenda Dist. (A)	<u>PDF VERSION OF FINALIZED HEX AGENDA</u>	(0 bytes)
HEX Recommendation Rec'd (A)	<u>FINALIZED HEX RECOMMENDATION</u>	(0 bytes)

If you are unable to open a 'Certificate of Occupancy or an Elevation Certificate', please send an email to Geoff Rinehart. If you are unable to open any other type of document, please send an email to Jean Mars. Please include the case number and the name of the document you are looking to receive. For General Permitting information please call 239-533-8329 or email eConnect@leegov.com.

[Back to Search](#)[Top of Page](#)

Version: 3.5.3.20051221.03

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To comment on this page, send email to eConnect@leegov.com or call (239) 533-8329.





**LEE COUNTY**  
**SOUTHWEST FLORIDA**

**BOARD OF COUNTY COMMISSIONERS**

239/533-8100

Bob James  
District One

A. Brian Bigelow  
District Two

Ray Jurish  
District Three

Tammy Hall  
District Four

Frank Menn  
District Five

Donald D. Stilwell  
County Manager

David M. Owen  
County Attorney

Diana M. Parker  
County Hearing  
Examiner

October 5, 2009

Dear Applicants, Representatives, Hearing Participants,  
and Other Interested Parties:

DCI2009-00015      **BLESSED POPE JOHN XXIII CATHOLIC CHURCH, in reference  
to BLESSED POPE JOHN XXIII AMENDMENT**

Enclosed please find the above referenced Lee County Hearing Examiner Decision or  
Recommendation.

Thank you for your interest and participation in the Hearing Examiner process.

Sincerely,

DIANA M. PARKER  
CHIEF HEARING EXAMINER  
LEE COUNTY, FLORIDA

Enclosure

**OFFICE OF THE HEARING EXAMINER, LEE COUNTY, FLORIDA**

**HEARING EXAMINER RECOMMENDATION**

**REZONING:** DCI2009-00015  
**APPLICANT:** BLESSED POPE JOHN XXIII CATHOLIC CHURCH,  
in reference to BLESSED POPE JOHN XXIII AMENDMENT  
**HEARING DATE:** AUGUST 5, 2009  
**WRITTEN SUBMISSION:** AUGUST 14, 2009

**I. APPLICATION:**

This matter came before the Lee County Hearing Examiner as an Application for an Amendment to a Community Facilities Planned Development (CFPD) pursuant to Lee County Land Development Code (LDC).

Filed by BLESSED POPE JOHN XXIII CATHOLIC CHURCH, 13060 Palomino Lane, Fort Myers, Florida 33912 (Applicant); TDM CONSULTING, INC., c/o VERONICA MARTIN, 6810 Porto Fino Circle, Fort Myers, Florida 33912; KRIS A. SLOSSER, P.S.M., c/o KRIS SLOSSER, 4642 Villa Capri Lane, Bonita Springs, Florida 34134; WOODROFFE CORPORATION ARCHITECTS, c/o HENRY WOODROFFE, 5005 West Laurel Street, Suite 215, Tampa, Florida 33607 (Agents); BISHOP FRANK J. DEWANE, 1000 Pinebrook Road, Venice, Florida 34285 (Owner).

Request is to Amend the Zoning Resolution No. Z-03-023, Blessed Pope John XXIII Catholic Church Community Facilities Planned Development (CFPD), to modify the Master Concept Plan and Schedule of Uses to add housing for the aged (maximum 88 units) and remove the school use. The property is 39.4± acres. Maximum building height is three (3) stories/60 feet. Development will connect to public potable water and sanitary sewer service. No development blasting is requested.

The subject property is located at 13060 Palomino Lane, Daniels Parkway Planning Community, Lee County, FL. (District #2)

**II. STAFF REPORT AND RECOMMENDATION: APPROVAL**

The Department of Community Development Staff Report was prepared by Tony Palermo. The Staff Report is incorporated herein by this reference.

**III. RECOMMENDATION OF HEARING EXAMINER:**

The undersigned Lee County Hearing Examiner recommends that the Lee County Board of County Commissioners **APPROVE** the Applicant's request for Amend the Zoning Resolution No. Z-03-023, Blessed Pope John XXIII Catholic Church Community Facilities Planned Development (CFPD), to modify the Master Concept Plan and Schedule of Uses to add housing for the aged (maximum 88 units) as an accessory use, and to remove the school use for the real estate described in Section IX. Legal Description WITH THE FOLLOWING CONDITIONS AND DEVIATIONS:

**A. CONDITIONS:**

1. The development of this project must be consistent with the one (1) page Master Concept Plan entitled "Blessed Pope John XXIII AMENDMENT Master Concept Plan," last revised August 2009, labeled Applicant's Hearing Exhibit 2B), and attached hereto as Exhibit B, except as modified by the conditions below. This development must comply with all requirements of the Lee County LDC at time of local Development Order Approval, except as may be granted by deviation as part of this planned development. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.

Maximum density: 68 multi-family dwelling units. Also See Condition 2 below.

2. The following limits apply to the project and uses:

a. Schedule of Uses

Accessory Uses and Structures

Administrative Offices

Essential Services

Essential Service Facilities Group I

Excavation, Water Retention - not to include removal of excavated material from site. No blasting.

Fences, Walls

Parking Lot, Accessory, Temporary - including parking for buses and vans affiliated with and/or utilized by the place of worship and/or housing for the elderly.

No commercial storage of vehicles is permitted.

ALSO SEE CONDITION 22.

Religious Facilities

Dwelling units - multi-family - limited to low-income for the elderly. Maximum of 68 units.

Recreation Facilities, Private, On-Site

Place of Worship

Accessory Uses and Structures

Administrative Offices

Day Care Center, Child (Maximum of 100 children)

Library

Specialty Retail Shops: Gift Shop (maximum 400 square feet)

Used Merchandise Store Group I: Clothing Stores (Maximum of 1,000 square feet)

Storage, Indoor Only

Temporary Uses

Residential Accessory Uses - Limited to low-income elderly housing - Includes ancillary social services, religious facilities, library, community kitchen, and limited to serving the residents on site only. No day care, retail shop, gift shop, or used merchandise store is permitted within the residential building.

Social Services, Group IV - limited to the 68 low-income units for the elderly

Signs in accordance with Chapter 30.  
Storage, indoor only.  
Temporary Uses

b. Site Development Regulations

Maximum Building Height: 60'

Residential uses are limited to 45' maximum height

Maximum Number of Habitable Stories: 3

Place of Worship: Maximum 1,650 seats

Used Merchandise Store Group I: Clothing Store: Maximum of 1,000 square feet

Specialty retail shops: Gift Shop: Maximum of 400 square feet

Day Care Center, Child: Maximum of 100 children

Church Site

Minimum Width: 100 feet

Minimum Depth: 100 feet

Residential Site

Minimum Width: 100 feet

Minimum Depth: 100 feet

Open Space: Per Condition #20.

Maximum Lot Coverage 40%

Building Setbacks:

From Street: Minimum of 25'

From Water Body: Minimum 25'

From Internal Lot Lines: Minimum 0'

Minimum Side Setbacks: 25 feet. (External)

Minimum Rear Setbacks: 20 feet (External)

Accessory Use and Structure setbacks must comply with Lee County LDC Sec. 34-1171 et. seq. And 34-2194.

Minimum Setback to the South: 50 feet for all buildings and structures, including accessory structures, parking, and storage.

3. Buildings exceeding 35 feet in height must maintain additional building separation as regulated by LDC Section 34-935(f)(2).

4. Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the Lee County LDC may be required to obtain a local development order.

5. Approval of this rezoning does not guarantee local development order approval. Future development order approvals must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocation Table, Map 16 and Table 1(b).

6. No lighting, either permanent or temporary, is permitted on the proposed playgrounds and/or athletic fields.

7. No blasting is permitted on-site.

8. All retail uses are to be ancillary uses and must be located within proposed main buildings, not within their own separate building. Retail uses are not to be located or allowed within the residential buildings.

9. No signs advertising any of the retail uses may be visible off the subject property.

10. A. The construction of all existing church and parish buildings on the subject site must comply with Article IV "Design Standards and Guidelines for Commercial Buildings and Developments", of Land Development Code, Chapter 10, and in accordance with Section 10-602 of the Land Development Code.

B. Residential development must meet the following design standards. Prior to local development order approval, the exterior elevations must be done in substantial compliance with Attachment D of the Staff Report Elevations, First Floor Plan, and Typical Unit Plan, 4 pages.

These designs are preliminary and subject to changes in conformance with this Resolution and the Lee County Land Development Code, including Article IV Sec. 10-600, "Design Standards and Guidelines for Commercial Buildings and Developments."

11. Prior to the issuance of a Certificate of Compliance for the multi-family housing, all structures located on the entire subject property must connect to the Lee County Utilities central sanitary sewer system, if it is available as defined by Section 381.0065(2)(a), Florida Statutes. Said system shall conform with the criteria set forth by the Land Development Code and the Lee County Utilities' Operations Manual. Existing and any additional development, including the residential, parish hall and place of worship, must connect to both public water and public sewer. At time of local development order, the developer must also demonstrate there is adequate water and sewer capacity to handle the level of development proposed in the development order submittal.

12. Agriculture is not a permitted use in the approved Schedule of Uses for this property.

13. Prior to local development order approval, the plans must include a buffer north of the proposed Phase 1 parking lot, which is within 125 feet of an existing residential project. The buffer must consist of an 8-foot-high wall or wall/berm combination, set a minimum of 25 feet from the property line, with 5 trees and 18 shrubs per 100 linear feet planted on the residential side of the wall. This buffer must be located outside the drainage easement.

14. Prior to issuance of the first Certificate of Compliance for any development order, a 20-foot-wide drainage easement, within the northerly 50 feet of the project, must be clearly depicted on the development order application. The easement must include the County's standard stormwater easement provisions and provide that only short grasses, as approved by the County, may be planted or maintained in the easement area. The easement document must be reviewed and approved by the Division of Natural Resources and the County Attorney's Office prior to acceptance by the County. The easement area must be free of all encumbrances not specifically found acceptable by the County. Upon approval of the easement, the County will record the document in the public records. The property owner will be responsible for the costs of recording.
15. Development must include internal sidewalks or paths as a site related improvement, in order to achieve a safe means of connecting internal uses and buildings with adjacent uses. Such facilities must be included in local development orders as part of construction of the project's infrastructure.
16. Approval of this rezoning does not constitute a finding that the proposed project meets the concurrency requirements set forth in LDC Chapter 2 and the Lee Plan. The developer is required to demonstrate compliance with all concurrency requirements, including traffic concurrency, prior to issuance of a local development order.
17. Prior to local development order approval for vertical development, the developer must provide facilities in compliance with LDC Sec. 10-261 and Lee County Solid Waste Ordinance #08-10 for the pick up/disposal of solid waste and recyclables. The minimum area required for, and specific locations of, these facilities will be reviewed at the time of local development order application.
18. The Master Concept Plan must be revised to depict the north property line providing a buffer per Condition #13 of this Resolution between the parking and residential uses to the north, and a Type "F" between the memorial garden and the residential uses to the north.
19. No residential development may take place without providing access to both Palomino Lane and Appaloosa Lane. Improvements to Appaloosa Lane will be required consistent with Land Development Code provisions.
20. Prior to local development order approval, development plans must depict Tract 1 to provide a minimum of 11.5 acres common open space, Tracts 3-5 to provide a minimum of 30 percent open space within each tract, and Tract 2 to provide a minimum 40 percent open space.
21. Prior to local development order approval, landscape plans must depict the preservation of all existing slash pine within the memorial garden area of Tract 1 and the preservation of a minimum of six (6) slash pines incorporated into the design of the athletic fields of Tract 4.
22. Parking/storage of buses and/or vans on Tract 5 is limited to vehicles utilized by the elderly housing and/or the place of worship only. The Master Concept Plan must also be revised to show a minimum 15-foot-wide Type "B" vegetative buffer between Tract 2 (the elderly housing project) and Tract 5 (maintenance sheds & bus storage area). A minimum

of three of the five trees per 100 linear feet must be of a canopy variety to more fully camouflage the view into the bus/maintenance yard from the 3-story residential building.

**B. DEVIATIONS:**

**Deviation 1 - WITHDRAWN DURING STAFF REVIEW AND REPLACED BY THE FOLLOWING DEVIATION:**

**Deviation 1** requests relief from Section 34-2020(1)(c)(4)a., which requires a minimum of 1.5 parking spaces per 1-bedroom units, to allow 0.75 parking spaces per 1-bedroom unit. The Hearing Examiner recommends APPROVAL of this Deviation, subject to the following conditions:

1. Approval is limited to the housing for the aged, with a maximum of 68 dwelling units and per the approved Master Concept Plan.
2. The developer must provide a minimum of 0.75 parking spaces per 1-bedroom unit, plus 10% guest parking per the LDC.

**PROPERTY DESCRIPTION**

A TRACT OR PARCEL OF LAND LYING IN SECTIONS 21 AND 22, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA BEING TRACTS 31, 32, 33A, 33B AND 33C OF COLONIAL RANCHETTES, INC., UNIT #1 OF AN UNRECORDED SUBDIVISION. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 21; THENCE RUN S.88°42'32"W. ALONG THE NORTH LINE OF SAID SECTION 21 FOR 681.426 FEET TO THE NORTHWEST CORNER OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 21; THENCE RUN S.01°04'07"E. FOR 1323.44 FEET TO THE SOUTHWEST CORNER OF SAID FRACTION OF A SECTION; THENCE RUN N.88°42'03"E. FOR 881.30 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION OF A SECTION AND THE SOUTHWEST CORNER OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 22; THENCE RUN N.89°34'27"E. FOR 614.83 FEET TO THE WEST RIGHT OF WAY LINE OF PALOMINO ROAD (30 FEET FROM CENTERLINE); THENCE RUN N.01°03'15"W. ALONG SAID RIGHT OF WAY LINE FOR 1323.36 FEET TO THE NORTH LINE OF SAID FRACTION OF A SECTION; THENCE RUN S.89°34'22"W. FOR 815.04 FEET TO THE POINT OF BEGINNING.

**RECEIVED**

APR 30 2009

COMMUNITY DEVELOPMENT

DCI2009-00015

Applicant's Legal Checked  
by BSJ 5/5/09

KS

4/22/09

KRIS A. SLOSSER, STATE OF FLORIDA, (P.S.M. #5560)  
SEE ATTACHED SKETCH

NOT A SURVEY

DRAWN BY: KAS  
FOR IDENTIFICATION

**PROPERTY DESCRIPTION**

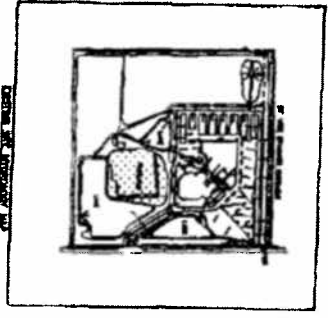
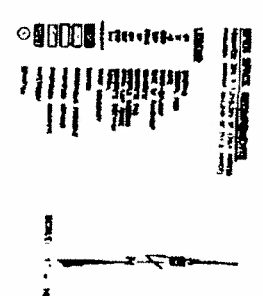
A PARCEL OF LAND LOCATED IN  
SECTION 21 & 22, TOWNSHIP 45 SOUTH, RANGE 25 EAST  
LEE COUNTY, FLORIDA

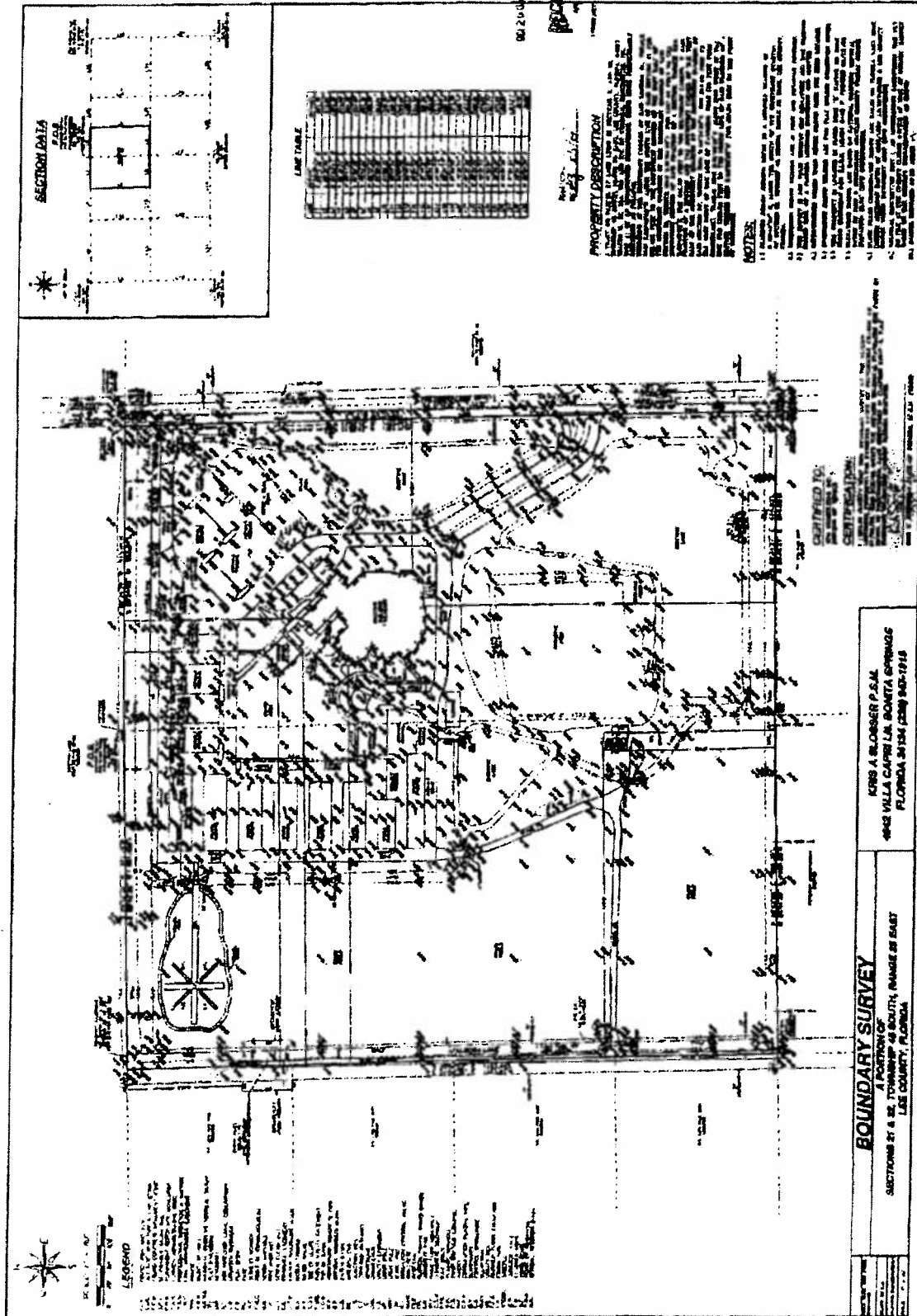
KRIS A SLOSSER P.S.M.

4642 VILLA CAPRI LN. BONITA SPRINGS  
FLORIDA 34134 (239) 947-1915







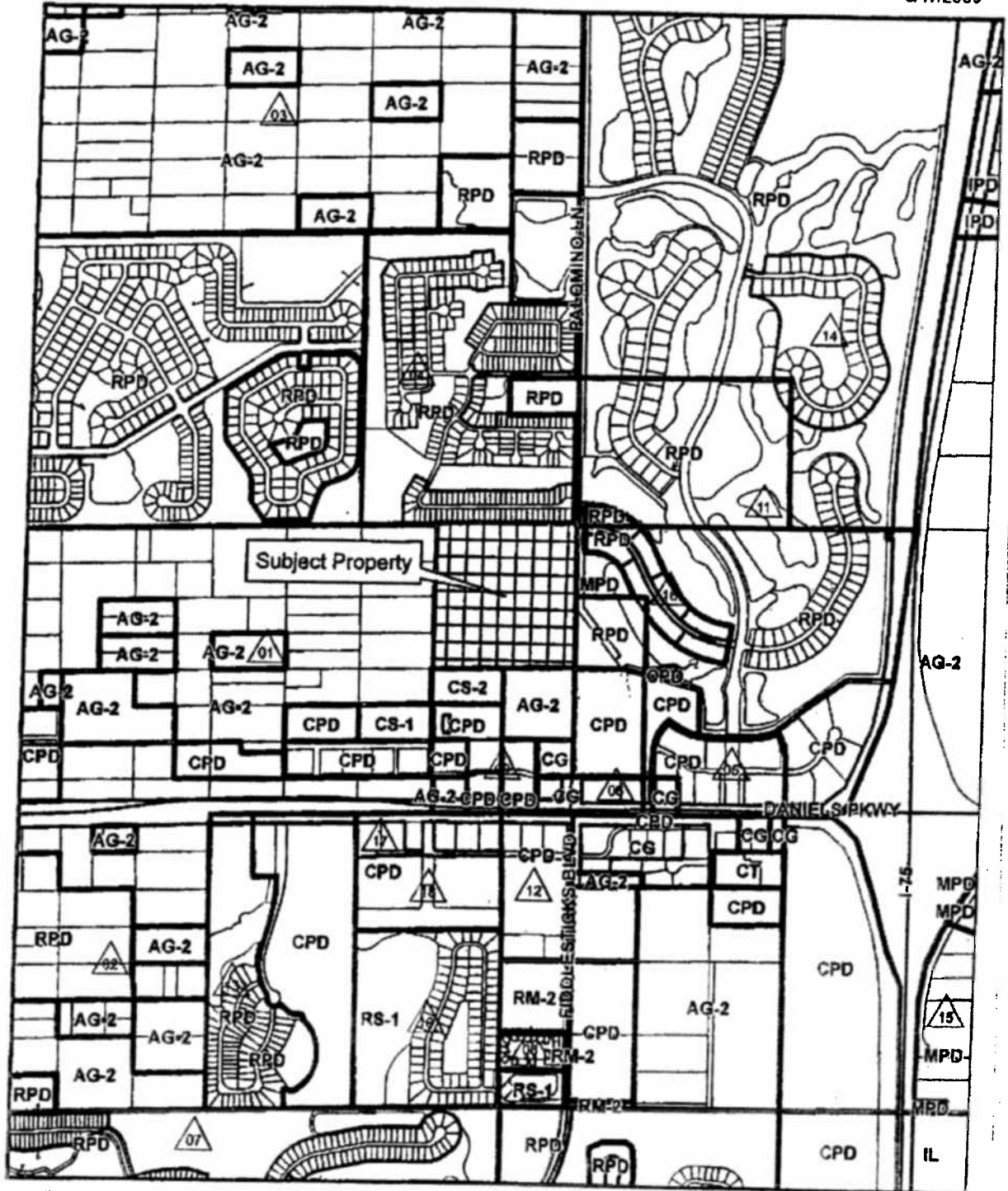


002000-32015

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# Zoning Map

6/17/2009



4(d)(iv) URA Site Notif.

**EXHIBIT 4 (d)(iv)**  
**URA Requirement**

Attached is a letter from the Sponsor (seller) indicating compliance with the Uniform Relocation Act (URA) requirements regarding a voluntary, arm's length purchase transaction.



***DIOCESE OF VENICE IN FLORIDA***  
***Office of the Chancellor***

May 18, 2009

Mr. James D. Branson,  
Multifamily HUB Director  
U.S. Dept. of Housing and Urban Development  
400 W. Bay Street, Suite 1015  
Jacksonville, FL 32202

**RE: FY 2009 Proposed 202 Housing Project for Low-Income Elderly  
Proposed Florida non-profit corporation to be formed (Pope John XXIII)  
Ft. Myers, Lee County, FL**

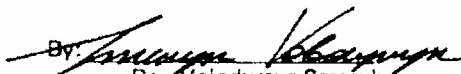
Dear Mr. Branson:

I, Dr. Volodymyr Smeryk, Chancellor of the Diocese of Venice, agree that if funded with Section 202 funds, that the Diocese of Venice agrees to sell the portion of property located at 10360 Palomino Lane, Ft. Myers, Lee County, Florida needed for the proposed HUD 202 project to a single asset/single purpose corporation to be formed (Pope John XXIII), specifically with the task of owning and operating this HUD Section 202 Project, to be evidenced by that certain Contract for Sale and Purchase attached hereto as Exhibit "A" and incorporated herein by reference.

The current property is in the name of the "Frank J. Dewane, As Bishop of the Diocese of Venice, a corporation sole" as evidenced by that certain Title Commitment attached hereto as Exhibit "B" incorporated herein by reference.

The Diocese (the Seller) understands and agrees: 1) that the sale will be a voluntary arm's length transaction; 2) the Applicant/Owner Corporation (Pope John XXIII, Inc.) does not have the power of eminent domain and, therefore, will not acquire the property if negotiations fail to result in an amicable agreement; and 3) that the Purchase Price of the Land will be an acceptable estimate of the fair market value of the property, which will be approved by HUD.

Frank J. Dewane, As Bishop of  
the Diocese of Venice, a Corporation Sole

By:   
Dr. Volodymyr Smeryk,  
Chancellor



cc: Joseph A. DiVito, Esq.

Attachments: 1) Exhibit "A" - Contract for Sale and Purchase  
2) Exhibit "B" - Evidence of Title

## 4(d)(v) Site Description



## **EXHIBIT 4 (d)(v)**

### **Topographic and Demographic Site Description**

The Sponsor is proposing to construct 68 units for the elderly on an approximate 3.25 acre site in unincorporated Lee County adjacent to Blessed Pope John XXIII Catholic Church. The site is located off Appaloosa Lane, just north of Daniels Road. This site is compatible with surrounding uses which consists of church, single family homes, and agriculture. The entire neighborhood can be classified as a residential neighborhood.

#### **Proximity to Shopping**

The proposed site is located within walking distance to a number of commercial establishments located along Daniels Road. The following is a summary of stores and distance from the site (a more detailed summary of commercial and service facilities can be found at the end of this section).

<u>Store</u>	<u>Distance from Site (miles)</u>
<i>Grocery:</i>	
Publix	0.6
<i>Pharmacies:</i>	
CVS	0.5
Publix Pharmacy	0.6
<i>Department Stores:</i>	
Beall's Outlet	2.4
Walmart Super Center	3.7

#### **Other Services**

The proposed site is located very close to a variety of service and community amenities. The following is a list of some of these establishments (see attached for a more complete list).

<u>Facility</u>	<u>Distance from Site (miles)</u>
<i>Post Office:</i>	
U.S. Post Office	1.6
<i>Library</i>	
SW Florida Library	3.1
<i>Police:</i>	
Ft. Myers Police	7.7
<i>Hospitals:</i>	
Gulf Coast Hospital	2.8
<i>Banks:</i>	
Six Banks	Less than 1 mile
<i>Fire Department:</i>	
South Trail Fire Dept.	3.8
<i>Churches:</i>	
Six churches	Less than 1 mile
<i>Dental:</i>	
Fiddlesticks Dental Care	0.6
<i>Doctors:</i>	
Six Doctors	Less than 1 mile

### **Community Setting**

The site is located in a neighborhood setting and is compatible with surrounding uses, which consist of single family and churches.

### **Transportation**

The site is located within the Lee Tran Passport Service area. This is a service that provides door-to-door service for persons who are disabled (see attached information on this service). The site is also located on Lee Tran Route 50 and the stop is within walking distance two blocks south on Daniels Parkway (see attached transit map).

### **Ingress and Egress to the Site**

Access to and from the site will occur in two locations. The main entrance will be off Appaloosa Lane and a secondary access will be off Palomino Lane.

### **Utilities**

As of the date of valuation, the following utilities were available to the subject property:

<u>Utility</u>	<u>Provider</u>	<u>Location</u>
Water	Lee County	650' south of site on Appaloosa Ln
Sewer	Lee County	1,000' south of site on Appaloosa Ln
Telephone	Sprint	At site
Power	Florida Power and Light	At site

The Sponsor is aware that they will incur the following off-site costs associated with developing this site and is committing to pay for these from land proceeds:

Pave Appaloosa to Lee County standards for local roads	\$60,000
Extend sewer to lift station	\$30,000
Extend sewer lines from church to lift station	\$20,000
Church connection fees paid to Lee County Utilities	\$53,000.
Pave interim shell road to Lee County Standard	\$55,000
	\$218,000

A letter of commitment by the Sponsor regarding these costs can be found in Exhibit 3c.

### **Census Tract**

The subject property is located in Census Tract 401.06.

### **Flood Zone**

The subject property is located in Flood Zone X (Community No. 125124-0445-F, August 28, 2008), which encompasses lands lying outside of the 500 year flood plain (see attached supporting documentation).

**Places of worship**

Besides being located adjacent to Blessed Pope John XXIII, there are five other places of worship within ½ mile of the site.

**Land Value**

The Sponsor obtained a Restricted Appraisal to determine a preliminary valuation of the HUD site (see attached at end of this Exhibit). The value was determined to be \$680,000, which is consistent with other recently funded HUD 202 projects.

**Design and Cost Factors**

The project will be designed in compliance with the DHUD cost containment and modest design standards. The Sponsor is unaware of any, but should be determined that any of the existing property features and amenities are not approvable, the Sponsor will assume any incremental cost should it exceed the development cost limit for this project.

The facility would have the following design features to reduce construction cost and future maintenance:

- Flat slab construction utilizing the floor as a ceiling for the unit below.
- Minimize the need for plumbing by putting kitchens and bathrooms back-to-back.
- Use an open floor plan and bright color scheme to provide the illusion that the units is larger.

The Sponsor is keenly aware that HUD funding is tight and the chances for amendment funds are limited. Given this, the Sponsor has secured a preliminary construction budget from MES Contractors, the GC who completed Holy Cross Manor and who are now working on Holy Cross Manor II. From this GC estimate, a preliminary total development budget was prepared (both can be found at the end of this Exhibit. Even when assembling a conservative development budget, the Sponsor is projecting surplus to use toward project improvements or unforeseen construction costs. This exercise was intended to demonstrate the viability of this proposed project from a budget standpoint.

**OUTREACH TO THE MINORITY COMMUNITY**

The FHEO division of HUD looks at five factors when evaluating an applicant's outreach to the community. A total of 15 points is possible for sponsors that can demonstrate, to FHEO's satisfaction, involvement and outreach to the minority as judged by the following factors:

- 1(b)(1) — Experience in providing housing and/or support services to minorities
- 1(b)(2) — Document relationship over time with minority residents and the minority community.
- 3(c) — Suitability of the site, in that it provides opportunities to minorities
- 2(b) — Document that the project involves elements of such planning documents as the “Impediments to Fair Housing”.
- 3(e) — The inclusion of the target population in development of the application

The following paragraphs demonstrate how the Sponsor affirmatively answers each of these FHEO factors.

The Sponsor has a long history of outreach to the minority community. This outreach effort starts with the Sponsor’s efforts to hire minorities and continues with finding ways to better serve the minority community. This brief narrative addresses some of the needs within the minority community and how the Sponsors has responded or plans to respond to these needs. Evidence of the Sponsor’s ties with the minority community is demonstrated by support letters, which can be found in Exhibit 3(d).

The Sponsor is keenly aware of its responsibility to serve residents of Lee County, regardless of their income, family status, race or sex. This narrative presents why the Sponsor has and will continue to aggressively serve all residents of the County.

The Diocese of Venice has a long history of serving elderly persons, regardless of ethnic origin. A review of the Sponsor’s housing experience (at its existing Section 202 projects), shows that over 57 percent of all projects have a minority residential population which exceeds that in the market area. This reveals that the Sponsor has been effective in promoting housing opportunities for minorities and encouraging minority elderly to avail themselves of such opportunity.

***Ties to the Elderly and Minority Community:*** In addition to its elderly housing, the Sponsor has addressed the needs of the elderly via establishing a Commission for Older Catholics. This Commission seeks to coordinate and facilitate an ever increasing demand for services and spiritual support to the elderly. Outreach programs for the elderly, such as “Senior’s Society” at St. Vincent de Paul Church, continue to be promoted on the parish level. In an effort to meet the needs of this growing population.

On a more local level, Blessed Pope John XXIII offers senior programs in which seniors can participate in recreational, social, educational, and direct assistance services. In addition, a **Senior Elderly Advisory Committee** has been assembled to provide input into the HUD 202 application process. **This Committee is made up with both minority/non-minority elderly residents from both inside/outside of Blessed Pope John XXIII Catholic Church. The inaugural meeting was held at Blessed Pope John XXIII’s sister parish, Jesus the Worker Hispanic Mission Church in Ft. Myers. Meeting minutes and sign-in sheets are attached.**

In addition, the Sponsor has secured multiple letters from minority residents which demonstrate

the Sponsor's commitment and sensitivity to the needs of an ethnically diverse resident population.

As mentioned earlier in this exhibit, the Diocese's commitment to the minority population is most evident in its ministry and service to the migrant farm workers (Hispanics and Haitians) with programs and outreach activities conducted throughout the ten-county regions. Social services and religious education programs as well as advocacy roles and legalization classes are but a few of the services currently provided, within the adjacent Blessed Pope John XXIII Church. **This congregation has a history of reaching out to minority residents through programs which include; (i) direct assistance to Spanish migrant farm workers; (ii) bi-lingual masses and social service programs; and (iii) partnerships with the local minority churches, which include offering programs and facilities for the use of these churches.**

***Sponsor Facilities:*** The following is a list of affordable elderly projects, owned/operated by the Sponsor, and a description of the neighborhoods these facilities are located in. *It should be noted that at over 70 percent of all Sponsor facilities, the minority population at the facility is equal to or greater than the minority population within the neighborhood. This is a testament of the Sponsor's ability to aggressively market units to all residents regardless of their ethnic origin.*

### Diocese of Venice – Survey of Sponsor Supported Senior Housing

<u>Project Name/Address</u>	<u>Age</u>	<u>Type</u>	<u>Total Units</u>	<u>Percentage Occupancy</u>	<u>Minority Residents</u>	<u>Wait List</u>	<u>Census Tract Neighborhood</u>	<u>% Minority within Tract</u>
Villa San Carlos 2550 Easy Street Port Charlotte, FL 33952	1986	HUD 202	49	100%	8%	6-8 mo	208 Mixed	9%
Villa San Carlos II 22250 Vick Street Port Charlotte, FL 33980	1995	HUD 202 PRAC	52	100%	37%	1-1 ½ yr	210 Non-minority	5%
Casa Santa Marta 1576 8 <sup>th</sup> Street Sarasota, FL 34236	1982	HUD 202	78	100%	13%	1 ½ yr	1.01 Mixed	13%
Casa Santa Marta II 800 N. Lemon Avenue Sarasota, FL 34236	1995	HUD 202 PRAC	54	100%	20%	2 yr	1.01 Minority	13%
Villa San Marcos 13031 Palm Beach Blvd Ft. Myers, FL 33905	2002	HUD 202 PRAC	81	100%	2%	1 yr	302 Non-minority	11%
Villa Vincente 13031 Palm Beach Blvd Ft. Myers, FL 33905	2004	HUD 202 PRAC	60	100%	11%	9 months	302 Mixed	11%
Holy Cross Manor 504 26 <sup>th</sup> Street Palmetto, FL 34221	2006	HUD 202 PRAC	68	100%	8% (a)	1 yr	14.01/2/2.52 Non-minority	0%
Holy Cross Manor II 504 26 <sup>th</sup> Street Palmetto, FL 34221	NA(b)	HUD 202 PRAC	68	NA	NA	NA	14.01/2/2.52 Non-minority	0%
<b>TOTAL/AVG</b>	—	—	<b>510</b>	—	<b>16%</b>	—	—	<b>16%</b>

(a) The City of Palmetto total minority population is 2.5 percent.  
(b) Construction to start Fall 2009.

***Need For Housing Amongst Minority Residents:*** The 2000 Census indicates a disproportionately greater need regarding the correction of housing problems for minority households in Lee County. However, this is due to the income disparity that is also indicated in the 2000 Census. While the County's minority households represented 12 percent, minorities represent a much greater percentage of low-income households. However, other variables such as tenure and household type and size also play a significant role in this regard, as noted below in the following chart.

***Promoting Greater Housing Opportunities for Minorities:*** There are nine (9) HUD-assisted housing projects for low-income elderly in Lee County. Two of the existing projects are located in areas of minority concentrations, four are located in neighborhoods with a mixed population and three are located in non-minority areas. The following is a summary of each of these projects.

Survey of Senior Housing in Lee County, Florida						
<u>Project Name/Address</u>	<u>Type</u>	<u>Total Units</u>	<u>Percentage Occupancy</u>	<u>Waiting List</u>	<u>Census Tract</u>	<u>% Minority</u>
Ft. Myers Presbyterian Community 1925 Virginia Ave Fort Myers, FL 33901 239-332-1050	HUD 202	180	100%	9 mo.	8	10%
Palm City Garden Apts 1625 Marsh Ave Ft. Myers, FL 33905 239-334-1303	HUD 202	100	100%	9 mo.	5.04	44%
Sandpiper Run 2075 Collier Ave Fort Myers, FL 33901 239-931-0220	HUD 202 PRAC	59	100%	1 yr.	11	50%
Villa Vincente 13071 Palm Beach Blvd Fort Myers, FL 33905 239-693-1333	HUD 202 PRAC	60	100%	6 mo.	302	13%
Sunshine Villas 1200 Broad St W Lehigh Acres, FL 33936 239-369-9161	HUD 202	216	100%	6 mo.	403.04	16%
Sunshine Villas South 1200 Broad St W Lehigh Acres, FL 33936 239-369-9161	HUD 236	80	100%	6 mo.	403.4	16%
Woodward Manor 1301 Woodward Ct Lehigh Acres, FL 33936 239-	HUD 202	102	100%	1 yr.	403.04	16%
Hatton Rogers apts 4250 Hatton B Rogers N. Fort Myers, FL 33903 239-995-6100	HUD 202 PRAC	54	100%	1 1/2 yr.	208	2%
Palm Harbor Apts 1081 Palm Ave N. Fort Myers, FL 33903 239-995-2600	HUD 202	81	100%	1 yr.	206	6%
<b>TOTAL</b>		<b>932</b>				
Lee County's Minority Population is 12.3%						

This is a situation where there is existing HUD-assisted housing for the elderly in both minority and non-minority areas. The proposed project would be located in Census Tract 401.06, which is



a non-minority census tract.

The Sponsor will continue (with the proposed site) to promote and provide housing opportunities for minority elderly residents in the following three ways. Because the project is located adjacent to census tracts of minority concentration, minority residents will have easy access to this project. The Sponsor is dedicated to both the letter and spirit of equal opportunity. Secondly, a review of the Sponsor's housing experience at other sites reveals that the Sponsor will be effective in promoting housing opportunities for minorities and encouraging minority elderly to avail themselves of such opportunity. Third, Blessed Pope John XXIII enjoys a close working relationship with the Hispanic communities via their sister parish of Jesus the Worker Hispanic Mission Church in Ft. Myers. Outreach efforts will involve partnering with this church.

***Sponsor Experience in Fair Housing:*** Individual property managers regularly attend fair housing training. Attached to this Fair Housing Narrative are details on this training.

#### **Relationship with Minority Residents Organizations over Time**

Serving minority residents and working with minority organizations is not something that the Sponsor started recently. This idea is integrated to the Sponsor's mission and has been done since its inception. As previously noted, most all of the Sponsor's projects and/or programs serve minority populations at or greater than that which exists within the market place. The Sponsor has been able to achieve these results by utilizing minority-based newspapers when placing ads and by partnering with minority organizations to distribute project information and brochures.

At the end of this section are samples of Affirmative Fair Housing Marketing Plans and newspaper ads placed in minority papers. The following is a sample list of some selected organizations and papers the Sponsor utilizes when reaching out to minority residents.

- Hispanic American Alliance (Hispanic)
- Tempo Magazine (African-American)
- NAACP (African-American)
- North River News (African-American)
- Neighbors (African-American)
- Filipino American Association of SW Florida (Hispanic)

#### **Fair Housing Impediments**

The purpose of designing and implementing the Analysis of Impediments to Fair Housing for Lee County (AI) was to fulfill the Certifications made by Lee County BOCC in its Consolidated Plan. The AI represents year one's accomplishment of a Five-Year Fair Housing Strategic Plan. Lee County's AI was based on a model fair housing analysis provided by HUD to county staff at

a Fair Housing Workshop in early October 1995. The AI included a review of Lee County's demographics related to housing patterns by race. It also reviewed lending practices, availability of fair housing information, knowledge of fair housing practices, availability of public transportation in relation to work areas and other socio-economic factors, and reported the results two community-wide surveys regarding fair housing issues.

The AI revealed the need for an easier method for citizens to file fair housing complaints, and that the present county ordinance could be enforced more effectively. Certain historical factors attribute to this situation, viz. Lee County has not taken fair housing complaints since 1993. HUD has recently provided guidance emphasizing that fair housing ordinances be substantially equivalent to the federal Fair Housing Law, and/or that grantee jurisdictions have programs that affirmatively further fair housing. In spite of Lee County's previous approach to fair housing, which included minimal educational outreach, the focus was on taking complaints. Merely taking complaints was not pro-active enough, according to HUD, to meet the standards of affirmatively furthering fair housing for Lee County residents. As a result, Lee County is actively providing fair housing education, training, education, outreach and awareness initiatives in its attempt to address these issues.

The AI further revealed the absence of a fair housing program, which was evident from the public's survey responses -- most respondents were not aware of fair housing issues. Survey questions focused on the public's perception of property appraisers, bankers, real estate professionals, and others in the housing business. Respondents generally favored county government becoming more pro-actively involved in the development of a fair housing program. Two other factors impacting fair housing in Lee County were decent, affordable, rental housing opportunities for migrants and/or farm workers, and substandard housing conditions in existing communities. These issues require pro-active measures in order to respond to critical areas of unmet need, as identified by the public. The AI concluded that county staff will develop program options for a core-service fair housing program. Currently, 80 grantee jurisdictions in the United States have a substantially equivalent fair housing ordinance. The AI suggests doing a program review of these jurisdictions in order to develop and implement a well-rounded Lee County program.

Within this report, Lee County identified several impediments to fair housing and these include:

1. Lee County has done little to affirmatively further fair housing.
2. Lee County has not defined what "affirmatively furthering fair housing" means for its citizens.
3. Lee County has no organizations dedicated to fair housing.
4. Survey results show that most residents are not familiar with "fair housing" issues.
5. Lee County has assigned almost no CDBG funds to affirmatively further fair housing.
6. There are several examples of the "not in my backyard (NIMBY) attitude in Lee County.

Of these six impediments, The Diocese of Venice is positively impacting several. The following

is how the Sponsor's involvement in the Section 811 program has actively reduced identified impediments.

- Response to Impediments 1, 2, 3, & 4 — The Diocese of Venice has actively marketed rental units to residents regardless of their ethnic origin. The Diocese success of 20 percent of its residents being minorities is attributed to: i) The Diocese extensive outreach and networking with minority community-based organization; ii) The Diocese aggressive affirmative marketing program; iii) The Diocese willingness to sensitize staff on fair housing issues by sponsoring and paying for a fair housing workshop; and iv) by The Diocese placing projects in both mixed race and non-mixed race areas.
- Response to Impediments 1, 2, 3, & 4 — The Diocese of Venice success has resulted in a definition of fair housing. In the Diocese terms, this is when minorities are represented in terms of those receiving services or apartments in numbers at or above the portion of the minority population to the total population.
- Response to Impediments 6 — The Diocese of Venice has not backed down from challenges to neighbors, and has actively pursued the rights of residents. For example, the Diocese progressed through public hearings and received some opposition. The Diocese met with this opposition to articulate the projects and its impact upon neighboring land owners. As a result of this education and outreach process, the opposition was reversed to support for the project.

It is clear from these examples that the Diocese of Venice has been at the forefront of promoting fair housing to residents regardless of their ethnic origin.

## **Conclusion**

HUD has indicated the methodology in which projects will be rated is as follows.

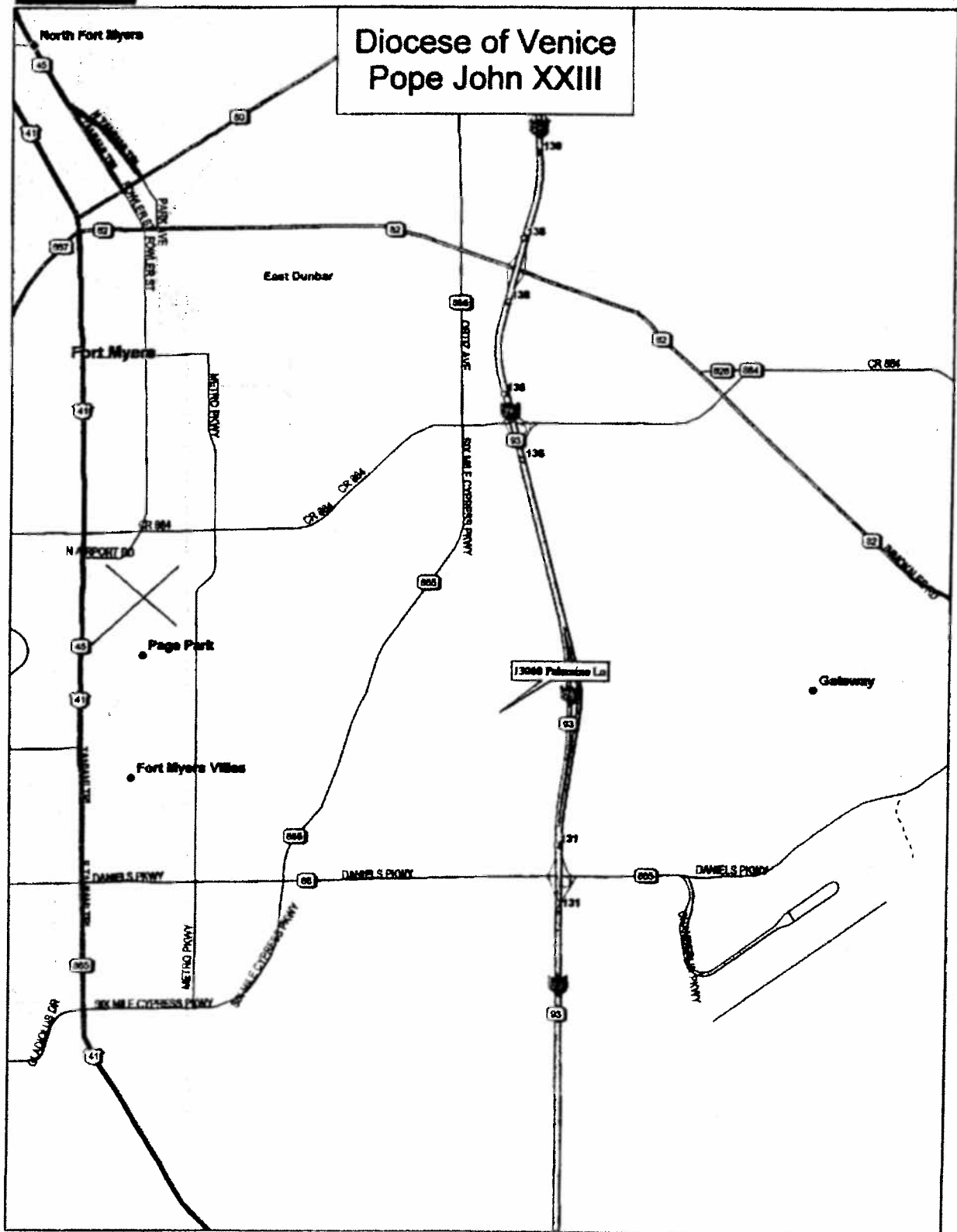
The suitability of the site from the standpoints of promoting a greater choice of housing opportunities for minorities and persons with disabilities and affirmatively furthering fair housing. In reviewing this criterion, HUD will assess whether the site meets the site and neighborhood standards at 24 CFR 891.125(b) and (3) by examining relevant data in your application or in the HUD Office. If appropriate, HUD may visit the site.

The site will be deemed acceptable if it increases housing choice and opportunity by:

Expanding housing opportunities in non-minority neighborhoods if located in such a neighborhood. ("Non-minority area" is defined as one in which the minority population is lower than 10 percent.)

Within the market area, projects are located both inside and outside of areas of minority concentration. **The proposed project is located in a non-minority area and should be awarded the full points.**

## **SITE LOCATION MAP**



## **TAX RECORD**

LEE COUNTY PROPERTY APPRAISER

PROPERTY DATA FOR PARCEL 22-45-25-00-00001 0100  
TAX YEAR 2008Parcel data is available for the following tax years:  
[ 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 ]

[ Next Lower Parcel Number | Next Higher Parcel Number | Display Building Permits on this Parcel | Display Tangible Accounts on this Parcel | Display Tax Bills on this Parcel | Tax Estimator ]

Ownership, Legal, Sales and Exemption Data are from the Summary Database. Land, Building, Value and Exemption Data are from the 2008 Roll.

## PROPERTY DETAILS

## OWNER OF RECORD

DEWANE FRANK J  
DIOCESE OF VENICE  
PO BOX 2008  
VENICE FL 34284

## SITE ADDRESS

13080 PALOMINO LN  
FORT MYERS FL 33912

## LEGAL DESCRIPTION

W 1/2 OF NW 1/4 OF NW 1/4 OF  
SEC 22 + E 1/2 OF NE 1/4 OF  
NE 1/4 OF SEC 21

[ VIEWER ] TAX MAP [ PRINT ]



[ PICTOMETRY AERIAL VIEWER ]

## IMAGE OF STRUCTURE



Photo Date: March of 2008

## TAXING DISTRICT

047 - SOUTH TRAIL FIRE

DOR CODE  
71 - CHURCHES, TEMPLESPROPERTY VALUES (TAX ROLL 2008)  
[ HISTORY CHART ]

JUST	12,888,650	HOMESTEAD
ASSESSED	12,888,650	WIDOW
ASSESSED SON	12,888,650	WIDOWER
TAXABLE	0	DISABILITY
BUILDING	4,220,700	WHOLLY
BUILDING FEATURES	122,340 INCL. IN BLDG. VALUE	AGRICULTURE
LAND	8,667,950	
LAND FEATURES	804,190 INCL. IN LAND VALUE	
SON DIFFERENCE	0	

## EXEMPTIONS

## ATTRIBUTES

0 LAND UNITS OF MEASURE**	MIXED USE
0 TOTAL NUMBER OF LAND UNITS	1,572,520.60
0 FRONTAGE	0
0 DEPTH	0
12,888,650 BEDROOMS	0
0 BATHROOMS	56
TOTAL BUILDING SQFT	42,101
1ST YEAR BUILDING ON TAX ROLL	0
HISTORIC DISTRICT	NO
** MULTIPLE LAND LINES - SEE APPRAISAL DETAIL	

## SALES/TRANSACTIONS

SALE PRICE	DATE	OR NUMBER	TYPE	TRANSACTION DETAILS DESCRIPTION	VACANT / IMPROVED
100	1/29/2007	2007000047668	04	Disqualified (Multiple STRAP # - 01,03,04,07) There are 78 additional parcel(s) with this document (may have been split after the transaction date). 14-43-20-01-00008 0000, 17-44-22-00-00014 0000, 28-45-22-00-00001 0010, 27-45-22-00-00001 0010, 21-46-22-T3-00002 0010, 28-46-22-T2-00008 0010, 30-43-23-C2-00008 0000, 02-44-23-C1-02844 0000, 27-44-23-C4-04395 0030, 28-44-23-C1-00003 0050, 28-44-23-C1-06001 0160, 28-44-23-C1-06001 0220... Remaining parcels not listed.	I
368,000	6/1/1998	3127/3288	04	Disqualified (Multiple STRAP # - 01,03,04,07)	V
100	2/28/1998	2930/3186	01	Disqualified (Doc Stamp .70 / SP less th \$100 / Other Disq)	V
99,200	3/1/1998	2135/2841	01	Disqualified (Doc Stamp .70 / SP less th \$100 / Other Disq)	V
217,000	4/1/1998	1840/2802	02	Qualified (Multiple STRAP # / 08-09)	V

## SOLID WASTE (GARBAGE) ROLL DATA

SOLID WASTE DISTRICT	ROLL TYPE	CATEGORY	UNIT/AREA	TAX AMOUNT
003 - Service Area 3	C - Commercial Category	B	37075	845.14
GARBAGE		COLLECTION DAYS	HORTICULTURE	
		RECYCLING		



Friday

Friday

Thursday

**ELEVATION INFORMATION**

STORM SURGE CATEGORY	RATE CODE	COMMUNITY	FLOOD INSURANCE (FIRM FAQ) PANEL	VERSION	DATE
4/5	X	125124	0445	F	8/28/2008

[\[ Show \]](#)**APPRAISAL DETAILS**


TRIM (proposed tax) Notices are available for the following tax years:  
[\[ 1997 \]](#) [\[ 1998 \]](#) [\[ 1999 \]](#) [\[ 2000 \]](#) [\[ 2001 \]](#) [\[ 2002 \]](#) [\[ 2003 \]](#) [\[ 2004 \]](#) [\[ 2005 \]](#) [\[ 2006 \]](#) [\[ 2007 \]](#) [\[ 2008 \]](#)

[\[ Next Lower Parcel Number \]](#) [\[ Next Higher Parcel Number \]](#)



[\[ New Query \]](#) [\[ Parcel Queries Page \]](#) [\[ Lee PA Home \]](#)

This site is best viewed with Microsoft Internet Explorer 5.5+ or Netscape Navigator 6.0+.  
Page was last modified Monday, March 30, 2008 4:32:02 PM.

**Lee Property Appraiser Web Tax Map**

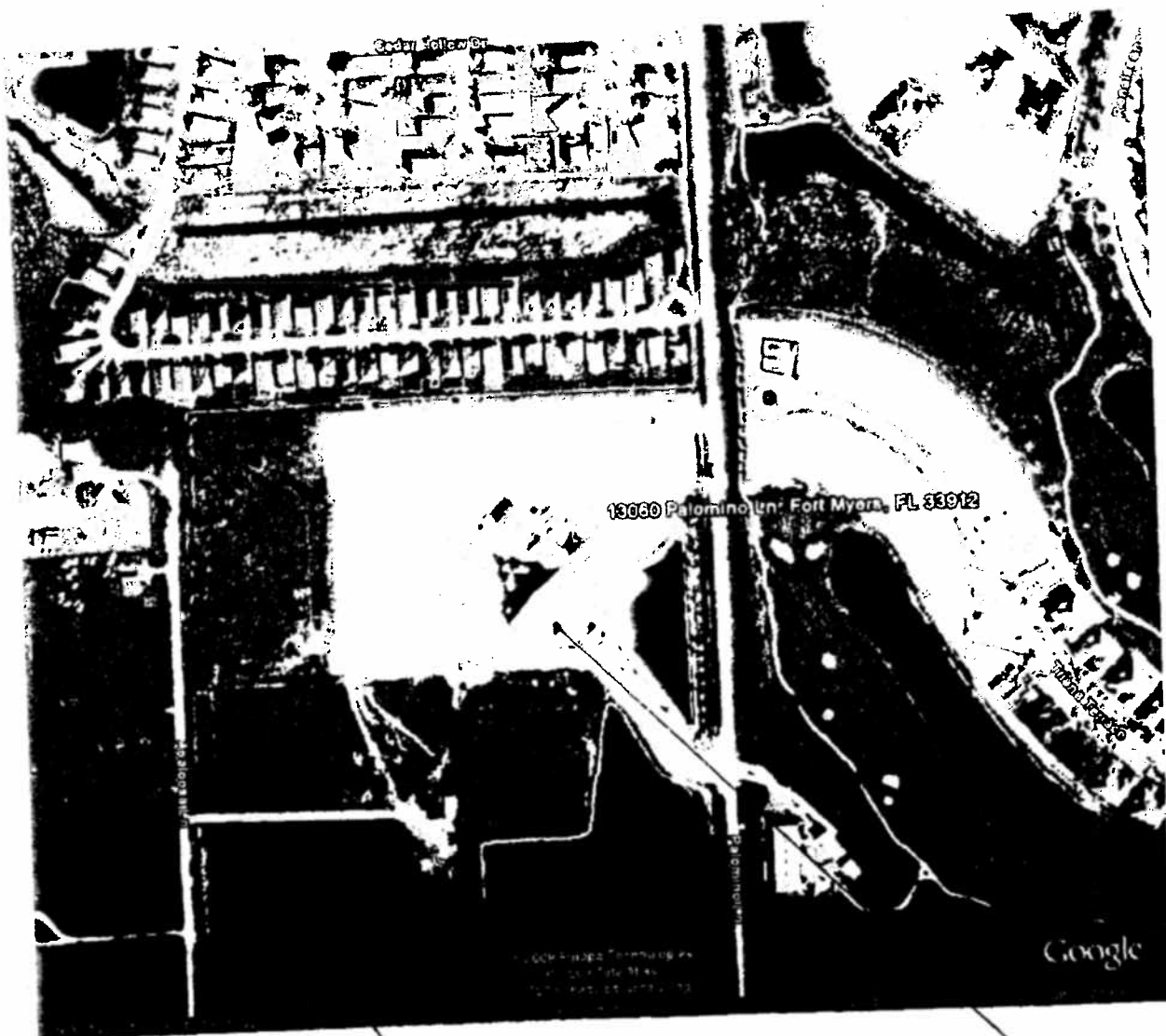


**Tax Map Legend**

- ☐ Selected Parcel
-  Road Centerlines
-  Parcels

<b>Aerial Image Set</b>	2008 1st Qtr HI-Res (1/2 foot)
<b>Map Currency Date</b>	4/16/2009 11:39:25 AM
<b>Selected Parcel</b>	22-45-25-00-00001.0100
<b>Legal Description</b>	W 1/2 OF NW 1/4 OF NW 1/4 OF SEC 22 + E 1/2 OF NE 1/4 OF NE 1/4 OF SEC 21
<b>Parcel Owner</b>	DEWANE FRANK J DIOCESE OF VENICE PO BOX 2008 VENICE FL 34284
<b>Property Address</b>	13080 Palomino Ln Fort Myers, FL 33612

## **AERIAL MAP**



Proposed Site

Blessed Pope John ~~XXII~~ XXIII  
Church

## **UTILITIES AVAILABILITY**



**LEE COUNTY**  
SOUTHWEST FLORIDA

**BOARD OF COUNTY COMMISSIONERS**

(239)533-8531

Bob Janes  
District One

April 10, 2009

A. Brian Bigelow  
District Two

Ray Judah  
District Three

Tammy Hall  
District Four

Frank Mann  
District Five

Donald D. Stilwell  
County Manager

David M. Owen  
County Attorney

Diana M. Parker  
County Hearing  
Examiner

Sheila Gottsleben  
JPH & Associates, Inc.  
P O Box 948006  
Maitland, FL 32794-8006

Water/Sewer  
Availability

**RE: POTABLE WATER & WASTE-WATER SERVICE AVAILABILITY  
HUD GRANT REQUEST  
DIOCESE OF VENICE AFFORDABLE SENIOR HOUSING  
STRAP #: 22-45-25-00-00001.0100 13060 PALOMINO LANE**

Dear Ms. Gottsleben:

In response to your recent request for a Letter of Availability for potable water and waste-water service to the above referenced project; Lee County Utilities owns and maintains potable water and waste-water lines in the vicinity of the proposed project. However, in order to provide service, developer funded system enhancements such as line extensions will be required. The nearest point of connection to Lee County Utilities' potable water facilities is approximately 650 linear feet south on Appaloosa Lane. The nearest point of connection to Lee County Utilities' waste-water facilities is approximately 1,000 linear feet south on Appaloosa Lane.

Your firm has indicated that the proposed project will consist of 68 one-bedroom multi-family residential units. Chapter 64E-6 of the Florida Administrative Code estimates the average daily flow for the type of units proposed at 100 gallons per day per unit resulting in a total estimated flow demand of approximately 6,800 gallons per day for the project. Based on these estimated flows, Lee County Utilities presently has sufficient available capacity to provide potable water and sanitary sewer service to the project.

Availability of potable water and sanitary sewer service is contingent upon final acceptance of water & waste-water infrastructure to be constructed by the developer. Upon completion and final acceptance of this project, potable water service will be provided through Lee County Utilities' Corkscrew Water Treatment Plant and sanitary sewer service will be provided by Lee County Utilities via the City of Fort Myers South Waste-water Treatment Plant.

The Lee County Utilities Operations Manual requires the project engineer to perform hydraulic computations to determine what impact this project will have on our existing system.

S:\Eng\TAK\LETTERS\OTHER\JPH & Associates - Affordable Senior Housing - Diocese of Venice 13060 Palomino La.doc

P.O. Box 398, Fort Myers, Florida 33902-0398 (239) 335-2111

Internet address <http://www.lee-county.com>

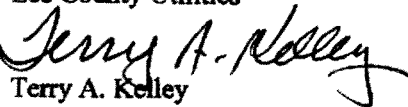
AN EQUAL OPPORTUNITY AFFIRMATIVE ACTION EMPLOYER

Sheila Gottsleben  
JPH & Associates, Inc.  
Potable Water & Waste-water Service Availability  
HUD Grant Request - Diocese of Venice Affordable Senior Housing  
Page 2

Prior to beginning design work on this project, a meeting should be scheduled with Thom Osterhout to determine the best point of connection and discuss requirements for construction.

This letter should not be construed as a commitment to serve, but only as to the availability of service. Lee County Utilities will commit to serve only upon receipt of all appropriate connection fees, a signed request for service and/or an executed service agreement, the approval of all State and local regulatory agencies, in addition to satisfying all of the conditions mentioned above.

Sincerely,

Lee County Utilities  
  
Terry A. Kelley  
Development Review Representative  
Utilities Engineering Division

Enclosure (1)

VIA E-mail: [sgottsleben@earthlink.net](mailto:sgottsleben@earthlink.net)  
Original Mailed 04/10/09

## **Part III Need and Site Info.**



### **PART III**

#### **THE NEED FOR SUPPORTIVE HOUSING FOR THE TARGET POPULATION ON THE AREA TO BE SERVED SITE CONTROL AND SUITABILITY OF SITE ADEQUACY OF THE PROVISION OF SUPPORTIVE SERVICES AND OF THE PROPOSED PROJECT**

Sponsor:	Diocese of Venice
Duns No:	147051296
EIN No:	59-2434603
Program:	HUD Section 202
CFDA No:	14.157
Project Name:	Blessed Pope John XXIII Manor Ft. Myers FL
Facsimile Transmittal ID:	1253557378-5955

## 4(a) Need for Housing

## **EXHIBIT 4(a)**

### **Evidence of Need for Supportive Housing**

The Sponsor has identified a great need for independent housing for seniors. This need is based on both data provided by several sources, in addition to current waiting lists at Sponsor facilities.

#### **Summary of Need**

The following paragraphs provide quantitative data which supports the fact that additional housing is needed for seniors.

In the 2008 Consolidated Plan, it stated that there are 74,334 elderly households and 25,774 frail elderly persons in Lee County. Based on the methodology established by HUD and data gathered, the need for housing amongst elderly residents for this project's market area is:

Lee County Need <sup>(a)</sup>	2,601
Proposed Project (units)	68
Unmet Needs Ratio	2.6%

Note (a): Based on Lee County Consolidated Plan for 2008-2012, which identifies elderly households with HH income of 50 percent or less and with housing problems.

Based on the HUD scoring criteria, the following exists:

*For projects in markets with unmet need of 15.0 percent or less, full points shall be assigned.*

It is clear from these statistics and data presented that the proposed project will not begin to meet the need for this type of housing amongst the elderly in Lee County.

#### **An Alternate Approach in Determining Need**

An alternative approach in assessing need involves data from HUD's EMAD Special Tabulations Data Base on HUDUSER.org. The data was developed by the US Census Bureau under an interagency agreement funded by the U.S. Department of Housing and Urban Development. The data for 1990 are from the 1990 Decennial Census Summary Tape File 4 Tables HB59 and HB60. The data for 2000 were extracted from a special run of the 2000 Decennial Census.

Elderly Housing Need <sup>(a)</sup>	1,395 households
Proposed HUD 202	68
Unmet Needs Ratio	4.8 %

(a) Based on EMAD 2000 Census data involving one person renter households, aged 75+ years, with conditions, and with household income below 50% of the area median income.

***Based on the HUD scoring criteria, the following exists: For projects in markets with unmet need of 15.0 percent or less, full points shall be assigned.***

It is clear from these statistics presented under two different approaches, that the proposed project will not begin to meet the need for this type of housing amongst the elderly in Lee County.

### **National Trends Involving Need for Supportive Housing**

The demand for senior housing is not diminishing in the least. According to a national study by the National Investment Conference for Senior Living and Long Term Care Industries (NIC), the need for senior housing is as strong as it has been in recent years, especially for active adults and seniors with household incomes less than \$20,000. The study conducted by the ProMatura Group for NIC, looked at about 1,500 households headed by people age 60 or older. The following six points emerged from the study:

- Almost half of respondents who live in age-restricted housing live in active adult communities.
- The greatest senior housing need exists for households with annual incomes less than \$20,000.
- Respondents' attitude toward age restricted communities have a lot to do with whether they think they will be moving to these communities.
- People who live in age-restricted housing seem to be more satisfied with their residence than those living in mixed-age housing.
- Nearly one-quarter of people who live in age-restricted housing do not understand the differences among senior housing.
- There is a high correlation between impairment level and willingness to move into an age-restricted community.

### **Description of the Categories of Elderly Persons the Housing is Intended to Serve**

Although an appropriate number of units will be wheelchair accessible apartments suitable for occupancy by the physically disabled, it is anticipated that initial project occupancy will consist almost exclusively of non-handicapped elderly individuals and couples who are capable of independent living.

While the minimum age for eligibility is 62 years, it is anticipated, based on the observed experience of similar existing facilities, that the average age at time of admission will be between 72 and 75 years, and up to 75 percent of the residents will be single or widowed females who need and desire the physical and emotional security as well as the socialization and companionship which is offered by this type of facility and limited supportive services.

Unquestionably, as residents age in place, there will be an enlargement in the magnitude and diversity of required supportive programs in response to the incremental needs of the aging.

### **State of Florida Elderly Demographics and Housing Needs Evidence Demonstrating Effective Demand for Supportive Housing for the Elderly<sup>1</sup>**

Currently, there are over 3.3 million persons over the age of 60 in Florida. Of that number, one-third or approximately one million persons are over the age of 75. Elders make up 23 percent of the state's population, which is three times the national figure. In the past 15-20 years, this segment of the population increased by 46 percent statewide with the highest percentage of change (126 percent) occurring among persons over the age of 85. Although this represents only 265,887 persons, these are persons most at risk of becoming moderately or severely impaired and in need of on-going care. At the turn of the millennium, eight and one-half (8.5 percent) percent of Florida's population is over the age of 75, an age group that is expected to increase to 9.8 percent by 2010.

To address the special needs and the potential of this large segment of elders, the Department of Elder Affairs was created in 1991. A key priority issue of this agency is to honor the choice of most older persons to remain in their homes and in their communities. The objective and strategy for this priority issue is to provide quality care options in the least restrictive setting possible. One of the most critical deficiencies in addressing the unmet housing needs of elders is the relative scarcity of community residential facilities that may serve as alternatives or at least delay the premature placement of severely impaired persons into nursing homes.

Special efforts are also needed to improve and expand in-home, supportive housing services,

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<sup>1</sup> From the State of Florida 2001-2004 Consolidated Plan

including house repair and weatherization. In annual Area Agency on Aging plans, which outline service plans based on demographic data and survey responses from the elderly and key informants, the need for additional community residential facilities and in-home care programs is consistently cited as a major concern. In a study commissioned by the Affordable Housing Study Commission, the Florida Policy Exchange Center on Aging found through an analysis of 1990 Census data that 11.7 percent, or 330,511 persons aged 60 years or older, who were living independently (i.e., non-institutionalized), reported having a limitation in mobility. Another ten percent of this population admitted to having a self-care limitation. And, a much lower 5.5 percent, or 155,493 elders, admitted to having both a mobility and a self-care deficit need.

The manner in which housing needs are addressed has significant consequences, not only in providing essential health and support care to the elders themselves, but also to the general population that is burdened by the escalating cost of intensive long-term care. When the needs of the elderly, especially the poor, frail elderly, are appropriately addressed, it should be possible to prevent unnecessary and early placements in nursing homes that are often three times the cost of alternative community care and in-home assisted living options. However, the Department of Elder Affairs is attempting to supplement the care of Adult Congregate Living Facilities (ACLF) residents through an experimental application of a Medicaid waiver. The department received federal approval to support the cost of additional supervision and personal care to ACLF residents in an attempt to postpone their transfer to nursing homes. Because of the small level of appropriations received from the 1994 Legislature, only 224 residents, out of a projected 1,500, have benefitted. Another demonstration project administered by the Department of Elder Affairs is the Medicaid Waiver, Home and Community-Based Services program. This project expects to assess the advantages and cost savings of providing a variety of in-home services to the frail, functionally impaired elderly. The level of state match appropriated by the Legislature in the first year permitted 7,175 eligible persons to be served. The key indicators of elder housing needs can be identified through analysis of the population growth, income level, type of living arrangements, and the functional status of elders.

#### **Estimated Age Distribution Within the Elder Population(60+) in Florida, 1994**

<u>Age in Years</u>	<u>Percent</u>
60-64	20.6
65-69	23.0
70-74	21.4
75-79	16.4
80-84	10.8
85+	7.8

(Source: Population Estimating Conference, 1994 Population Projections, University of Florida, January 1993)

The age distribution of the older population is expected to change significantly prior to the year 2000. The chart which follows presents the percent increase within the elder population from 1980 to 1990, and also reflects projected increases for the year 2000. The largest single increase is expected to be among persons 85 years of age and older.

**Actual and Expected Increase Within the Elder Population in Florida**

Age in <u>Years</u>	1980-1990 <u>Increase</u>	1990-2000 <u>Increase</u>
60-64	33.11	9.10
65-69	26.46	10.19
70-74	27.60	28.63
75-79	47.17	33.64
80-84	70.24	39.14
85+	77.35	78.44

(Source: Munroe, Donna J., et al., Aging 2000: Projecting the needs of Florida's Older Population to the Years 1995 through 2000. Florida International University, June 1991.)

**Income Distribution Within the Florida General and Client Population Ages 60+**

<u>Annual Income</u>	<u>General Population</u>	<u>Client Population</u>
Under \$10,000	30.3%	64.9%
\$10,000-30,000	24.4	1.0

(Source: Munroe, Donna J., et al., Aging 2000: Projecting the needs of Florida's Older Population to the Years 1995 through 2000. Florida International University, June 1991.)

The annual income levels of elders is another key determinant in assessing the housing needs of this population. The Aging 2000 study reports that among the client population of older persons, 85 percent of individuals earn less than \$10,000 annually, and only one percent of the client population earns more than \$30,000 each year. Elders who live alone can also benefit from the provision or availability of housing support services.

According to the Aging 2000 study, some 23 percent of elders live alone. Many of these individuals are also limited in functional status. Among those 85 years and older, nearly half have some limitations in performing activities of daily living. These living arrangements and limitations affect a person's ability to live independently. Additionally, up to 50 percent of those over 85 are estimated to have some degree of dementia or Alzheimer's disease. Approximately 80.8 percent of elders own their own homes.

According to a recent study by the American Association of Retired Persons, 86 percent of older

persons, prefer to live in their own homes. In order to make this possible, Florida will have to address a variety of needs.

The current State of Florida administration has articulated the following priorities with regard to Florida's elderly residents:

1. **Aging in Place** - Seniors able to continue to live at home, with their families, and in their communities through the expansion of home and community-based services.
2. **Aging in an Elder-Friendly Environment** - Minimization of regulations and bureaucratic obstacles, making it easier for seniors to access information and/or services.
3. **Aging with Security** - Increased protection from abuse, neglect and other crimes at home, in the community, or in institutional care.
4. **Aging with Purpose** - Enriched community life through inter-generational involvement.
5. **Aging with Dignity** - Assurance of competent, compassionate, and respectful care for seniors and their loved ones, particularly as they near the end of their lives.

In keeping with the administration's above-state priorities, and in light of the fact that Florida's aging demographics lead the rest of the nation, it is critical to establish service delivery approaches that successfully address the needs of older tenants to age in place. It is estimated that roughly 80,000 elderly tenants currently live in rent-subsidized housing. Studies have shown that seniors in rent-assisted housing prefer to remain in their current accommodations as long as possible and delay the prospects of institutionalization.

However, owners and managers of rent-subsidized elderly housing projects report many difficulties in attempting to link their residents with affordable and appropriate supportive services. According to the CASERA Project <sup>2</sup>:

Cost effective supportive services are crucial in a state whose population will demand ever larger increases in Medicaid spending. Currently, an estimated 30 percent of elderly tenants who leave rent-subsidized housing enter nursing homes. It is estimated that the cost of nursing home care in Florida will grow to more than \$2 billion by the beginning of the next millennium. The choice is to 'pay now or pay later' in terms of the public

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<sup>2</sup> The CASERA (Creating Affordable and Supportive Elder Rental Accommodations) Project is a report produced in March 1999 by Stephen M. Golant, Ph.D. of the University of Florida.



policy cost of subsidizing long-term care needs for the elderly residents in more costly institutional care versus providing them with prevention and early intervention services to prolong their independence. To prepare for the demand for services in the decades ahead, we must develop new service delivery approaches that forge new partnerships and innovative service collaboration among the agencies and community groups who serve these citizens. With dwindling resources available for social and human services, priority should be given to funding home- and community-based services that support the independent life-styles of elder tenants. Not considering the elder-occupied rent-subsidized facility as a major service delivery target is a badly missed opportunity.

**Long-Range Goal:** Preserve Affordable Elderly Housing. Low-income seniors should not be forced to choose between paying rent and eating properly.

**Long-Range Goal:** Improve the coordination of home and community-based services programs with elderly housing communities and elderly residents living on their own. Elderly residents should be able to access supportive services through a single entry point that is easily accessible and whose existence is well publicized.

**Long-Range Goal:** Explore opportunities to access additional federal dollars to augment the expenditure of state resources for provision of health care and social services to seniors in need.

### **The Limitations in Activities of Daily Living Among the Elderly in the Area**

Based upon the sponsor's experience in the operation of its six existing 202 housing facilities for low-income elderly, the average resident will be a single or widowed female between the age of 72 and 75. This resident is often in need of and desires the physical and emotional security as well as the socialization and companionship offered within the sponsor's apartment facility. Elderly individuals often suffer from improper nutrition, are withdrawn from socialization, and become burdened with the day-to-day responsibilities of operating a household. Elderly persons who live on a fixed income often deprive themselves of basics in order to make ends meet. Transportation is also a problem for the elderly. Unable to afford the cost of maintaining an auto or to physically drive, many elderly give up their cars. Through the supportive service network provided by the sponsor and the excellent location this site offers to transportation access, low-income elderly resident will be able to access health care, recreation, counseling, assistance in financial matters, transportation, and meals programs.

### **Aging in Place in Existing Assisted Rentals**

While conducting the survey of existing housing facilities for low-income elderly (included in

this exhibit) the Sponsor's consultant, JPH and Associates, Inc., confirmed with managers of these facilities that the main reason it is difficult to determine the length of wait for unit availability is due to the combination of the need for additional housing of this type and the fact that their residents often occupy a unit for life or until they must move to a nursing home facility. It is a fact that low-income elderly persons do not have the luxury nor the choice of moving to another apartment facility. Of these existing facilities, six were developed under HUD's Supportive Housing for the Elderly programs which build in a supportive service network for the residents as they age in place.

### **Fair Housing Impediments**

The purpose of designing and implementing the Analysis of Impediments to Fair Housing for Lee County (AI) was to fulfill the Certifications made by Lee County BOCC in its Consolidated Plan. The AI represents year one's accomplishment of a Five-Year Fair Housing Strategic Plan. Lee County's AI was based on a model fair housing analysis provided by HUD to county staff at a Fair Housing Workshop in early October 1995. The AI included a review of Lee County's demographics related to housing patterns by race. It also reviewed lending practices, availability of fair housing information, knowledge of fair housing practices, availability of public transportation in relation to work areas and other socio-economic factors, and reported the results two community-wide surveys regarding fair housing issues.

The AI revealed the need for an easier method for citizens to file fair housing complaints, and that the present county ordinance could be enforced more effectively. Certain historical factors attribute to this situation, viz. Lee County has not taken fair housing complaints since 1993. HUD has recently provided guidance emphasizing that fair housing ordinances be substantially equivalent to the federal Fair Housing Law, and/or that grantee jurisdictions have programs that affirmatively further fair housing. In spite of Lee County's previous approach to fair housing, which included minimal educational outreach, the focus was on taking complaints. Merely taking complaints was not pro-active enough, according to HUD, to meet the standards of affirmatively furthering fair housing for Lee County residents. As a result, Lee County is actively providing fair housing education, training, education, outreach and awareness initiatives in its attempt to address these issues.

The AI further revealed the absence of a fair housing program, which was evident from the public's survey responses -- most respondents were not aware of fair housing issues. Survey questions focused on the public's perception of property appraisers, bankers, real estate professionals, and others in the housing business. Respondents generally favored county government becoming more pro-actively involved in the development of a fair housing program. Two other factors impacting fair housing in Lee County were decent, affordable, rental housing opportunities for migrants and/or farm workers, and substandard housing conditions in existing communities. These issues require pro-active measures in order to respond to critical areas of unmet need, as identified by the public. The AI concluded that county staff will develop program options for a core-service fair housing program. Currently, 80 grantee jurisdictions in the United

States have a substantially equivalent fair housing ordinance. The AI suggests doing a program review of these jurisdictions in order to develop and implement a well-rounded Lee County program.

Within this report, Lee County identified several impediments to fair housing and these include:

1. Lee County has done little to affirmatively further fair housing.
2. Lee County has not defined what “affirmatively furthering fair housing” means for its citizens.
3. Lee County has no organizations dedicated to fair housing.
4. Survey results show that most residents are not familiar with “fair housing” issues.
5. Lee County has assigned almost no CDBG funds to affirmatively further fair housing.
6. There are several examples of the “not in my backyard (NIMBY) attitude in Lee County.

Of these six impediments, The Sponsor is positively impacting several. The following is how the Sponsor’s involvement in the Section 202 program has actively reduced identified impediments.

- Response to Impediments 1, 2, 3, & 4 — The Sponsor has actively marketed rental units to residents regardless of their ethnic origin. The Sponsor’s success of 20 percent of its residents being minorities is attributed to: i) The Sponsor’s extensive outreach and networking with minority community-based organization; ii) The Sponsor’s aggressive affirmative marketing program; iii) The Sponsor’s willingness to sensitize staff on fair housing issues by sponsoring and paying for a fair housing workshop; and iv) by The Sponsor placing projects in both mixed race and non-mixed race areas.
- Response to Impediments 1, 2, 3, & 4 — The Sponsor’s success has resulted in a definition of fair housing. In the Sponsor’s terms this is when minorities are represented in terms of those receiving services or apartments in numbers at or above the portion of the minority population to the total population.
- Response to Impediments 6 — The Sponsor has not backed down from challenges to neighbors, and has actively pursued the rights of residents. For example, in Cape Coral, the Sponsor progressed through public hearings and received some opposition. The Sponsor met with this opposition to articulate the projects and its impact upon neighboring land owners. As a result of this education and outreach process, the opposition was reversed to support for the project.

It is clear from these examples that the Sponsor has been at the forefront of promoting fair housing to residents regardless of their ethnic origin.

## **Conclusion**

HUD has indicated the methodology in which projects will be rated is as follows.

The suitability of the site from the standpoints of promoting a greater choice of housing opportunities for minorities and persons with disabilities and affirmatively furthering fair housing. In reviewing this criterion, HUD will assess whether the site meets the site and neighborhood standards at 24 CFR 891.125(b) and (c) by examining relevant data in your application or in the HUD Office. If appropriate, HUD may visit the site.

The site will be deemed acceptable if it increases housing choice and opportunity by:

Expanding housing opportunities in non-minority neighborhoods if located in such a neighborhood. ("Non-minority area" is defined as one in which the minority population is lower than 10 percent.)

Within the market area, projects are located both inside and outside of areas of minority concentration. The proposed project is located in a non-minority area and should be awarded the full points.

**LIST OF AFFORDABLE ELDERLY PROJECTS  
WITHIN THE MARKET AREA**

Survey of Senior Housing in Lee County, Florida						
<u>Project Name/Address</u>	<u>Type</u>	<u>Total Units</u>	<u>Percentage Occupancy</u>	<u>Waiting List</u>	<u>Census Tract</u>	<u>% Minority</u>
Ft. Myers Presbyterian Community 1925 Virginia Ave Fort Myers, FL 33901 239-332-1050	HUD 202	180	100%	9 mo.	8	10%
Palm City Garden Apts 1625 Marsh Ave Ft. Myers, FL 33905 239-334-1303	HUD 202	100	100%	9 mo.	5.04	44%
Sandpiper Run 2075 Collier Ave Fort Myers, FL 33901 239-931-0220	HUD 202 PRAC	59	100%	1 yr.	11	50%
Villa Vincente 13071 Palm Beach Blvd Fort Myers, FL 33905 239-693-1333	HUD 202 PRAC	60	100%	6 mo.	302	13%
Sunshine Villas 1200 Broad St W Lehigh Acres, FL 33936 239-369-9161	HUD 202	216	100%	6 mo.	403.04	16%
Sunshine Villas South 1291 Broad St W Lehigh Acres, FL 33936 239-369-9161	HUD 236	80	100%	6 mo.	403.4	16%
Woodward Manor 1301 Woodward Ct Lehigh Acres, FL 33936 239-369-1414	HUD 202	102	100%	1 yr.	403.04	16%
Hatton Rogers Apts 4250 Hatton B Rogers N. Fort Myers, FL 33903 239-995-6100	HUD 202 PRAC	54	100%	1 1/2 yr.	208	2%
Palm Harbor Apts 1081 Palm Ave N. Fort Myers, FL 33903 239-995-2600	HUD 202	81	100%	1 yr.	206	6%
<b>TOTAL</b>		<b>932</b>				
Lee County's Minority Population is 12.3%						

### Diocese of Venice -- Survey of Sponsor Supported Senior Housing

<u>Project Name/Address</u>	<u>Age</u>	<u>Type</u>	<u>Total Units</u>	<u>Percentage Occupancy</u>	<u>Minority Residents</u>	<u>Wait List</u>	<u>Census Tract Neighborhood</u>	<u>% Minority within Tract</u>
Villa San Carlos 2550 Easy Street Port Charlotte, FL 33952	1986	HUD 202	49	100%	8%	6-8 mo	208 Mixed	9%
Villa San Carlos II 22250 Vick Street Port Charlotte, FL 33980	1995	HUD 202 PRAC	52	100%	37%	1-1 ½ yr	210 Non-minority	5%
Casa Santa Marta 1576 8 <sup>th</sup> Street Sarasota, FL 34236	1982	HUD 202	78	100%	13%	1 ½ yr	1.01 Mixed	13%
Casa Santa Marta II 800 N. Lemon Avenue Sarasota, FL 34236	1995	HUD 202 PRAC	54	100%	20%	2 yr	1.01 Minority	13%
Villa San Marcos 13031 Palm Beach Blvd Ft. Myers, FL 33905	2002	HUD 202 PRAC	81	100%	2%	1 yr	302 Non-minority	11%
Villa Vincente 13031 Palm Beach Blvd Ft. Myers, FL 33905	2004	HUD 202 PRAC	60	100%	11%	9 months	302 Mixed	11%
Holy Cross Manor 504 26 <sup>th</sup> Street Palmetto, FL 34221	2006	HUD 202 PRAC	68	100%	8% (a)	1 yr	14.01/2/2.52 Non-minority	0%
Holy Cross Manor II 504 26 <sup>th</sup> Street Palmetto, FL 34221	NA(b)	HUD 202 PRAC	68	NA	NA	NA	14.01/2/2.52 Non-minority	0%
<b>TOTAL/AVG</b>	—	—	<b>510</b>	—	16%	—	—	16%

(a) The City of Palmetto total minority population is 2.5 percent.

(b) Construction to start Fall 2009.

Information for individual projects was, in every case, supplied by the project manager or assistant. Names available upon request.

LEE COUNTY CONSOLIDATED PLAN  
NEED DATA



# HOUSING

## Housing Market Analysis Response 1. - DATA Lee County HUD CHAS Data

Breakdown by Type, Income, & Housing Problem	Lee County, Florida									
	CHAS Data Book					2008				
	Renters					Owners				
	Eligible (1 & 2 members)	Small Rental (2 to 4 members)	Large Rental (5 or more members)	All Other	Total	Eligible (1 & 2 members)	Small Rental (2 to 4 members)	Large Rental (5 or more members)	All Other	Total
	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)
1. Household Income <= 80% MFI	1,323	4,683	1,386	3,974	13,239	12,883	3,810	1,038	1,054	20,603
2. Household Income <= 50% MFI	1,943	2,285	687	2,075	6,980	4,974	1,555	424	1,393	8,308
3. % with any housing problem	68.3	83.4	89.0	63.8	74.5	66.4	70.7	91.9	69.3	69.0
4. % Cost Burden > 20%	67.5	79.9	81.1	64.1	71.8	66.1	68.3	82.3	68.0	67.7
5. % Cost Burden > 50%	50.5	70.7	57.4	39.5	60.5	50.3	62.4	73.1	54.7	57.4
6. Household Income > 80% MFI	1,805	2,395	700	1,899	6,879	7,748	2,235	634	1,435	12,097
7. % with any housing problem	70.8	82.0	90.7	87.6	81.6	54.6	73.6	91.3	75.7	69.5
8. % Cost Burden > 20%	70.8	78.3	64.3	85.8	77.2	54.4	69.3	69.2	74.6	60.5
9. % Cost Burden > 50%	48.1	24.2	10.7	48.1	33.2	24.7	43.0	27.6	53.4	32.0
10. Household Income > 50% MFI	1,808	3,535	980	3,438	9,733	13,975	5,610	1,430	2,879	23,894
11. % with any housing problem	53.8	50.5	45.3	54.1	54.3	20.8	60.6	38.7	50.2	40.8
12. % Cost Burden > 20%	54.4	40.3	23.0	50.9	44.9	28.6	38.0	34.4	49.3	38.5
13. % Cost Burden > 50%	20.7	1.4	2.6	4.3	6.1	10.2	15.7	3.2	19.1	12.2
14. Household Income > 40% MFI	3,255	1,840	1,639	6,965	23,903	41,104	42,140	6,010	10,514	99,768
15. % with any housing problem	24.6	12.4	44.5	2.9	15.7	9.2	11.6	23.4	18.4	12.6
16. % Cost Burden > 20%	22.4	4.5	2.4	5.2	7.4	8.9	10.4	6.6	17.8	10.3
17. % Cost Burden > 50%	8.9	0.3	0.0	0.4	1.7	1.6	1.4	0.2	3.3	1.6
18. Total Household	8,888	17,088	3,099	13,589	44,344	67,762	51,540	8,482	16,467	144,297
19. % with any housing problem	30.3	39.6	65.2	38.3	43.7	22.6	21.4	37.9	34.0	24.4
20. % Cost Burden > 20%	40.0	32.4	31.5	35.4	36.6	22.3	19.9	20.0	33.3	22.9
21. % Cost Burden > 50%	27.0	13.3	12.3	13.9	16.8	9.6	6.6	6.7	16.0	9.1

# LEE COUNTY AFFORDABLE HOUSING CHARTS

- Chart 1: Lee County Affordable Housing Construction Need Projected to 2025
- Chart 2: Cost Burdened Households in Lee County Projected to 2025
- Chart 3: 2005 Income Limits Adjusted to Family Size and Maximum Monthly Payment

## EXECUTIVE SUMMARY

- Affordable Housing Construction Need for Lee County: The projected housing construction need for 2025 is 114,927 dwelling units:  
41,194 units for very low and low income households  
27,384 units for moderate income households  
46,349 units for above moderate income households  
114,927 Total units for all income households.
- Cost Burdened Households In Lee County: The projected number of households paying over 30% of their gross income for housing in 2025 is 76,808 households:  
54,970 very low and low income households  
13,897 moderate income households  
7,941 above moderate income households  
76,808 Total for all income households.

(Note: The projected number of very low and low-income households paying over 50% of their income for housing in 2025 is 25,781.)

Prepared March 2006

Lee County Department of Community Development  
Division of Planning, P. O. Box 398, Ft. Myers, FL 33902-0398  
(239) 479-8585

# **CHART 1** **LEE COUNTY AFFORDABLE HOUSING CONSTRUCTION NEED PROJECTED TO 2025**

Projected 2025 Housing Construction Need = 2025 Projected Affordable Housing Demand - 2002 Affordable Housing Supply

Affordable Housing Demand is based on population estimates and projections for households.

Affordable Housing Construction Need is the difference between Housing Demand and Housing Supply (inventory) when adjusted for vacancies to allow a smoothly functioning housing market.

Lee County				
Projected 2025 Affordable Housing Construction Need by Dwelling Type				
Income Category	Income Limit	Single Family	Multi Family	DU's Needed
Very Low Income	50% or Below Area Median Income	15,912	5,304	21,216
Low Income	51% to 80% Area Median Income	14,984	4,994	19,978
Cumulative Subtotal		30,896	10,298	41,194
Moderate Income	81% to 120% Area Median Income	20,538	6,846	27,384
Cumulative Subtotal		51,434	17,144	68,578
Above Moderate Income	120% and Over Area Median Income	34,762	11,587	46,349
Cumulative Total		86,196	28,731	114,927

Uninc. Lee County*				
Projected Affordable Housing Construction Need by Dwelling Type				
Income Category	Income Limit	Single Family	Multi Family	DU's Needed
Very Low Income	50% or Below Area Median Income	5,621	1,775	7,396
Low Income	51% to 80% Area Median Income	5,267	1,663	6,930
Cumulative Subtotal		10,888	3,438	14,326
Moderate Income	81% to 120% Area Median Income	7,139	2,254	9,393
Cumulative Subtotal		18,026	5,693	23,719
Above Moderate Income	120% and Over Area Median Income	12,098	3,820	15,918
Cumulative Total		30,124	9,513	39,637

\* Unincorporated Lee County is defined as Lee County less Bonita Springs, Cape Coral, Ft. Myers, Ft. Myers Beach and Sanibel.

Prepared March 2006—All figures are based on the 2005 Lee County Evaluation and Appraisal Report (EAR) of the Comprehensive Plan's Housing Element, data supplied by The Shimborg Center's Florida Housing Data Clearinghouse and available Census data.  
 (See attached income chart for the actual dollar figure associated with each income level).

S:\HOUSING\Affordable Housing Information\Ch 1 Lee Cty Aff Housing Construction Need 2025.doc

## CHART 2 COST BURDENED HOUSEHOLDS IN LEE COUNTY PROJECTED TO 2025

Housing Cost Burden (CB) is the percentage of gross household income spent on housing (including principal, interest, taxes and insurance). The standard affordability level is 30% of gross household income.

Cost Burdened Households (CB 30%+) are those paying more than the standard 30% affordability level.

Severely Cost Burdened Households (CB 50%+) are those paying 50% or more of their gross income for housing.

*The impact of housing cost burden can be assessed only in relation to income. Low and Very Low Income households facing a cost burden, or a severe housing cost burden, are more likely than other families to experience food insecurity, compromised health care and lack of reliable transportation because after paying for their housing they don't have enough money to cover life's necessities. A household of 4 with a gross income of \$200,000/year can bear a 50% cost burden without the hardship the same household would experience with an annual income of \$20,000.*

2025 Projected Number of Households				
Lee County		Cost Burdened 50%+		Cost Burdened 30%+
Income Category	Income Limit	(Housing cost is 50%+ of gross income)		(Housing cost is 30%+ of gross income)
		Owner	Renter	Total Owner/Renter Combined
Very Low Income	50% or Below Area Median Income	12,363	8,633	20,996
Low Income	51% to 80% Area Median Income	3,527	1,258	4,785
	<b>Cumulative Subtotal</b>	<b>15,890</b>	<b>9,891</b>	<b>25,781</b>
Moderate Income	81% to 120% Area Median Income	N/A*	N/A*	N/A*
	<b>Cumulative Subtotal</b>			<b>13,897</b>
Above Moderate Income	120% and Over Area Median Income	N/A*	N/A*	N/A*
	<b>Cumulative Total</b>			<b>68,867</b>
				<b>76,808</b>

Uninc. Lee County**				
		Cost Burdened 50%+		Cost Burdened 30%+
		(Housing cost is 50%+ of gross income)		(Housing cost is 30%+ of gross income)
Income Category	Income Limit	Owner	Renter	Total Owner/Renter Combined
Very Low Income	50% or Below Area Median Income	6,417	3,781	10,198
Low Income	51% to 80% Area Median Income	1,785	581	2,366
	<b>Cumulative Subtotal</b>	<b>8,202</b>	<b>4,362</b>	<b>12,564</b>
Moderate Income	81% to 120% Area Median Income	N/A*	N/A*	N/A*
	<b>Cumulative Subtotal</b>			<b>6,743</b>
Above Moderate Income	120% and Over Area Median Income	N/A*	N/A*	N/A*
	<b>Cumulative Total</b>			<b>33,545</b>
				<b>3,973</b>
				<b>37,518</b>

\* N/A - DATA NOT AVAILABLE.

\*\* Unincorporated Lee County is defined as Lee County less Bonita Springs, Cape Coral, Ft. Myers, Ft. Myers Beach and Sanibel.

Prepared March 2006—All figures are based on the 2005 Lee County Evaluation and Appraisal Report (EAR) of the Comprehensive Plan's Housing Element, data supplied by The Shimberg Center's Florida Housing Data Clearinghouse and available Census data. (See attached income chart for the actual dollar figure associated with each income level).

S:\HOUSING\Affordable Housing Information\Ch 2 Cost Burdened HH in Lee Cty 2025.doc

**CHART 3**  
**2005 INCOME LIMITS ADJUSTED TO FAMILY SIZE AND MAXIMUM MONTHLY PAYMENT**

This form indicates income eligibility for the SHIP program and the maximum amount SHIP beneficiaries may pay for monthly mortgage payments (including principal, interest, taxes and insurance) or rent plus utilities.

% of Yearly Median Income	Number of Persons in Household							
	1	2	3	4	5	6	7	8
Very Low Income - 50% or Below Area Median Income	\$18,950.00	\$21,650.00	\$24,350.00	\$27,050.00	\$29,200.00	\$31,400.00	\$33,550.00	\$35,700.00
Maximum Monthly Payment Low Income - 51% - 80% Area Median Income	\$473.75	\$541.25	\$608.75	\$676.25	\$730.00	\$785.00	\$838.75	\$892.50
Maximum Monthly Payment Moderate Income 81% - 120% Area Median Income	\$757.50	\$865.00	\$973.75	\$1,082.50	\$1,168.75	\$1,255.00	\$1,341.25	\$1,428.75
Maximum Monthly Payment	\$1,137.00	\$1,299.00	\$1,461.00	\$1,623.00	\$1,752.00	\$1,884.00	\$2,013.00	\$2,142.00

MSA: Fort Myers-Cape Coral

**FY 2005 Yearly median income for a household with four persons: \$54,100.00**

These income guidelines are updated periodically by the U.S. Department of Housing and Urban Development (HUD). This table indicates income eligibility for the SHIP program and the maximum amounts SHIP beneficiaries may pay for monthly mortgage payments (including principal, interest, taxes and insurance) according to figures released February 2005.

**Maximum Price of a New or Existing House Allowable Under the SHIP Program: \$223,875**

## 4(b) Benefits to Elderly

## **EXHIBIT 4(b)**

### **Benefits to Targeted Population**

Benefits involve both the community and individual residents of the project. The following paragraphs briefly discuss each:

#### **OVERALL COMMUNITY BENEFIT**

The project will benefit the County in several ways which include the following:

- Elderly housing and housing for minority elderly is in great need. The project will provide needed housing for low income elderly.
- The economic impact of a multi-million dollar construction project will be great. It will provide construction jobs, ancillary economic benefit to restaurants, and other service areas.
- The residents will contribute to the economic health of the community because they will be customers in shops, restaurants, food stores.
- Social service programs provided by the Sponsor and carried out from this facility will be available to other low income elderly and minority elderly.

This Sponsor's demonstrated experience in the community and in serving this area encompasses all programs and activities from local church programs to local HUD 202 projects.

#### **ENRICHING RESIDENT LIVES**

In addition, the proposed program will enhance the lives of elderly within the community. The Sponsor is well aware that practical solutions are needed to not only provide housing but to enrich the lives of each and every resident of the proposed HUD 202 facility. These practical solutions include the following;

##### **Achieving Independent Living**

- Coordinate off-site activities so as to encourage residents to travel outside the project.

- Coordinate transportation opportunities to enable residents to i) attend religious services; ii) shop, iii) visit doctors; and iv) participate in social/recreational functions. The transportation is critical in a resident maintaining their independence.
- Coordinate on-site assistance to enable the residents to remain in their units, even though they may need assistance with activities of daily living.
- Design the units so as to enable residents, who have the ability, to cook and clean their own units. In addition, the design incorporates accessible features so as to foster independence.
- The communal areas are designed to encourage social interaction and resident activities. These are critical components for fostering independence.

#### **Promoting Educational Opportunities**

The on-site manager shall, as appropriate and available, schedule and promote the presentation of special entertainment programs for the residents as well as educational programs to foster awareness of the importance of good nutritional habits, health maintenance programs, including preventive medical examinations/procedures, legal matters of particularly vital concern to elderly persons, etc. The availability of such programs and presenters will be assisted by the project manager's active participation in FAHA programs and meetings both at the state and local level and by continuing effective liaison with local agencies such as the Hillsborough Department of Aging Services, which provides a number of senior services.

#### **Enhancing the Quality of Resident Lives**

- Social/recreational programs offered on-site, in addition to the Sponsor assisting residents in procuring individual support services.
- Social/recreational programs offered off-site.
- Quality project staff which assists residents in developing their own council and who treat each and every resident with dignity and respect.
- Educational and employment opportunities which are planned/coordinated by the Sponsor.
- Projects whose design encourages social interaction and facilitates residents meeting and working together on fun projects.



**Previous Living Conditions**

The Sponsor has witnessed residents originating from homeless and/or near homeless living conditions. They have witnessed residents in abusive environments with no living options other than staying with the family who is the source of such abuse. The proposed project provides a clean, safe, affordable, and environmentally friendly atmosphere where residents can live comfortably, while enjoying some of the amenities many people take for granted.

## 4(c)(i) Bldg. Design

## **EXHIBIT 4(c)(1)**

### **Project Description**

Number of Units/Residents Requested: 68 units  
Type of Units: All units to be one-bedroom  
Number and Type of Structures: One three-story buildings  
Number of Stories/Elevator: Two (2) elevators  
Development Method: New Construction

### **OVERVIEW OF PROJECT**

The Sponsor is proposing to acquire and build 68 units of elderly housing within Lee County. All units will be one-bedroom, one bath units. It is anticipated that the proposed project will require construction design and implementation. The parking area is conveniently located in the front of the complex with spaces for handicap parking.

### **COMPLEX DESCRIPTION**

The Sponsors have secured the services of the architecture firm of Woodroffe Architects, Inc. This firm has extensive experience in designing and overseeing development of HUD Section 202 projects.

The site plan presented at the end of this section calls for one three-story buildings to be constructed adjacent to Blessed Pope John XXIII Catholic Church, off of Palomino Lane in unincorporated Lee County. This plan provides a more "campus" approach to the project and complete utilization of the site. It also allows for the project to provide a good transitional use between the multi-family building and church.

### **SITE DESCRIPTION**

The Diocese owns a 36-acre site off of Palomino Lane, two blocks north of Daniels Parkway. To the north and east of the site are single family homes. To the west and south are low density residential.

The site itself is a flat terrain with no usual site features. The vegetation is mowed rye grass and is void of any trees. The property is located outside the 500-year flood plain. The site is not listed in the State's or County's wetlands area inventory and is not near any railroad nor airport. The frontage street, Appaloosa Lane, is a two-lane unpaved road. The Sponsor has committed to paving this road from the site south to meet the existing paved section. The Sponsor has committed to paying for this improvement from land proceeds received from HUD. The entire area has a very secure neighborhood appeal. All needed site utilities are located at the property.

Both water and sewer lines are located adjacent to the church campus and will be accessible from the HUD site.

The site's residential location and close proximity to commercial will make it ideal for residents to easily access nearby commercial services.

The neighborhood surrounding the site meets all the amenity, transportation and housing needs of elderly residents.

## **SITE UTILITIES AND OFF-SITE WORK**

As of the date of valuation, the following utilities were available to the subject property:

<u>Utility</u>	<u>Provider</u>	<u>Location</u>
Water	Lee County	650' south of site on Appaloosa Ln
Sewer	Lee County	1,000' south of site on Appaloosa Ln
Telephone	Sprint	At site
Power	Florida Power and Light	At site

The Sponsor is aware that they will incur the following off-site costs associated with developing this site and is committing to pay for these from land proceeds:

Pave Appaloosa to Lee County standards for local roads	\$60,000
Extend sewer to lift station	\$30,000
Extend sewer lines from church to lift station	\$20,000
Church connection fees paid to Lee County Utilities	\$53,000
Pave interim shell road to Lee County Standard	\$55,000
	\$218,000

A letter of commitment by the Sponsor regarding these costs can be found in Exhibit 3c.

## **DESIGN TO MEET FUTURE NEEDS**

Residents are now living longer and are much more active than twenty years ago. To adjust to this changing population, the Sponsors will increase their activity program and promote first floor areas as community areas and meeting spaces. A community space, in this instance, is not necessarily a separate room, but could be a corridor or entrance way. These common areas will be used to facilitate socialization amongst residents.

In the new facility, it is imperative that all available community space be utilized to its fullest extent. This means that community space should be: 1) accessible to all residents; 2) pleasant to

sit or stand in; 3) quiet to facilitate conversation; and 4) bring staff in touch with residents. These simple design elements will help accommodate the changing face of elderly housing for the next 40 years.

In addition to communal areas, smaller rooms will provide for one-on-one case management and assistance.

## COMMUNITY SPACE AND DESIGN

The Sponsor has long understood that the delivery of services and design of community space go hand-in-hand. If done correctly, the end result will be the residents comfortably enjoying such amenities within the building and corresponding site.

With respect to the proposed project, the Sponsor plans on offering the following communal facilities;

- Community Room – This will be the central focal point for larger scale activities. The room will be located directly off the main lobby and will allow residents access to an outside patio area with views to the adjacent park and lake. The room will be supported with fully accessible bathrooms and an accessible warm-up/preparation kitchen. The room will be capable of being subdivided if a number of smaller activities need to occur simultaneously. Tables and chairs will be available for larger activities and will be such that the number will accommodate both residents and guests.
- Sitting Areas – In its previous projects, the Sponsor has noted that a great deal of social activity has occurred at strategically placed sitting areas. These sitting areas are typically in high volume traffic areas and are designed to be open and inviting to residents. Residents are able to sit and read, while occasionally interacting with other staff and/or residents. Sitting areas occur both at the front exterior entrance and rear exterior entrance, in addition to being on each floor in and around the elevators. Since the rooms are open in nature, the space is typically defined via furniture, changing carpet/floor covering, molding and/or other architectural features.
- Quiet Areas – The Sponsor's experience shows that some residents enjoy social interaction and/or private time outside their apartments in a more intimate or "non-open" atmosphere. For these residents, the Sponsor will design libraries and computer centers. These centers are fully accessible and are separated via walls, doors, and glass from other rooms. They are typically made quieter by virtue of design, flooring and wall hangings. These features all seek to mitigate noise issues.
- Craft/Activity Rooms – The Sponsor will construct craft or activity rooms. These are rooms which can be closed off, so as to allow for privacy and/or to minimize noise. The rooms will be fully accessible and well lit so as to allow for activities for more visually challenged services. Besides craft activities, the rooms can also be used for periodic

health screening (i.e. eyes, ears, blood pressure, etc.). Each room will also have a sink and cabinets for storage of craft supplies.

- Other Community Space – Other community space in which social design consideration is given involves laundry areas, hallways, entrances, and mail box areas. These spaces encourage people to stop and spend time by providing standing/sitting space, flooring to allow for both wheelchair and non-wheelchair users, adequate lighting, and extra space for jigsaw puzzles or other small activity projects.

With respect to each of these rooms and/or open areas, special attention will be paid to the following design elements;

- Floor coverings that allow for access of both wheelchair and non-wheelchair users.
- Grab rails where necessary
- Lighting which sets areas apart and which will allow visually challenged seniors to participate in a variety of activities.
- Floor and wall contrasting colors to assist visually challenged residents.
- Noise reduction design elements to assist hearing challenged residents.
- Open design to encourage social interaction.
- Use of natural light to define and give warmth to community spaces.
- Design to emphasize both comfort and security.

Given these lists of services and design elements, residents should find both comfort and usefulness in these rooms and/or meeting areas.

## **SUPPORT SERVICES**

The Sponsor realizes that partnerships are necessary for the project to be funded, built and operated. Many partnerships now exist with at Blessed Pope John XXIII, as well as other HUD 202 projects sponsored by the Diocese of Venice. The new project will utilize these existing relationships (see Exhibit 3(1) for additional detail on these services.

As described below, the design of the building will accommodate the "Aging in Place" process. However, the sponsor is taking steps in the initial design to provide spaces that will accommodate needed supportive services for the residents.

The building's design concept provides for rooms that will serve multiple functions, a feature that enhances the efficiency of the development. Space will be available for visiting health professionals to conduct periodic health screenings such as blood pressure checks, blood sugar screening, cholesterol screening, etc. The Sponsor will make arrangements for other visiting professional screenings such as podiatrists and ophthalmologists.

Other planned supportive services include educational activities for the residents, including nutritional education, lectures, book clubs, language classes, fire safety programs and self

defense measures. Again, these programs will be conducted in centrally located rooms designed to be multi-functional.

## **ACCESSIBILITY**

Accessibility, in compliance with the Uniform Federal Accessibility Standards and DHUD regulations implementing Section 504 of the 1973 Rehabilitation Act and the Fair Housing Act, as amended, and the National Affordable Housing Act of 1990, as applicable.

The project will be built in compliance with the DHUD cost containment and modest design standards. The Sponsor is unaware of any; but, should it be determined that any of the existing property features and amenities are not approved, the Sponsor will assume any incremental cost should it exceed the development cost limit for this project.

## **AMENITIES AVAILABLE**

The individual units offer a range, refrigerator, stove, disposal, breakfast bar, and ceiling fan. The complex itself will have several amenities which include meeting rooms, laundry facility, and outdoor recreational area. Because elderly residents will be independent, limited support services provided to residents will take place off-site and special community space or common areas will not be needed.

## **AGING IN PLACE**

This facility, including the individual units, will be equipped with grab bars, emergency call systems, and non-slip floor surfaces, along with the other design elements which facilitate individual safety. Although five percent of the units will be designed at the outset as accessible by disabled persons, all units will be designed to be adaptable for various types of disabilities, including wheelchair usage, and sight and hearing impairments. Hardware selections will include items which take into consideration the aging process; e.g., units will have door levers (as opposed to knobs). The units will be sized such that there is sufficient space for services delivered in the home such as assistance with bathing, meal preparation, medication administration and similar types of assistance. Walking distance to community facilities will be minimized to the extent possible and seating accommodations will be available in waiting areas.

Being cognizant of the aging process, various design elements will be incorporated into the design in order to alleviate this concern, including:

- **Visual Signage** — Colors will be chosen which are “friendly” to the aging eye and signs will have a high contrast ratio. This will allow for a greater feeling of personal security among residents who are visually impaired, hearing impaired (and thus more reliant on visual signals), as well as those who suffer from disorientation.

- **Glare Reduction** — Glare is a major problem among elderly persons with deteriorating eyesight. Non-reflective materials will be used on floor and wall surfaces, both interior and exterior, as well as within the unit on such items as appliances whenever possible.
- **Furniture Placement** — The careful placement of furnishings can be used to overcome social isolation and to aid the hearing-impaired. Background noise is a constant problem for persons with hearing impairments. Careful placement of small furniture groupings can make personal conversations possible, within a large room, while encouraging socialization among residents.

## **CONFORMANCE WITH LOCAL CODES**

The enforceable codes for this project include the Florida Building Code as well as the fire protection statutes of NFPA. Some of the provisions include the necessary means of egress, distance from a living unit to the exit, length of corridors between exits and fire ratings of all separation doors and walls.

## **UTILITY COMBINATION**

The project will utilize electricity for cooking, air conditioning and lighting and natural gas for hot water. It is proposed that each apartment be individually metered for electricity and master metered for gas. The proposed development will have a central, gas-fired boiler for hot water, the most efficient combination possible. All utilities are available at the site.

## **DESIGN FEATURES WHICH PROMOTE ENERGY EFFICIENCY AND EFFICIENT CONSTRUCTION**

During the planning stages and while the construction documents are being prepared, the sponsor representative, architect and contractor will meet to discuss various design alternatives and construction methods that will result in definite savings in labor costs, material costs and long-term maintenance and operational costs. This early effort is deemed critical if value engineering is to be a success.

The goals are to enhance building performance and lower life cycle costs at the lowest initial cost possible. This Value-Based Team Decision Making effort will literally look at each specification section and construction line item in the decision making process.

The project design is a three-story solution, allowing for simple structural, plumbing and electrical systems to be utilized. All kitchen and bathrooms are similar, requiring single specifications for equipment. Also, the Project's site design minimizes grading and foundation requirements. The structural shell will be load bearing wood frame with pre-engineered floor



joists a system which has proven to be cost effective while providing excellent sound control and speed of construction. Conservative, conventional structural design, combined with high mileage, high quality exterior finishes, will produce a sound structure requiring minimal maintenance which will be attractive for years to come.

### ***Energy Efficiency***

HUD is encouraging applicants to take specific energy-saving actions in furtherance of HUD's Energy Action Plan described in the August 2006 report to congress entitled: "Promoting Energy Efficiency at HUD in a Time of Change." Under this policy priority, HUD is providing up to two policy priority points as follows:

- a)                      Energy Star Appliances and Products. Applicants can receive one policy priority point for incorporating energy-efficiency measures in the design, construction and operation of the development. HUD strongly encourages the purchase and use of Energy Star-labeled products. Applicants are also encouraged to promote energy efficiency in design and operation of the proposed project. To receive the one point, applicants must meet the following criteria:

- *New construction or substantial rehabilitation (multifamily):* Meet ASHRAE 90.1-2007 plus 20 percent (Appendix G) and appliances must be Energy Star qualified. A heat load analysis showing compliance with this standard must be completed by the project architect or engineer during the design phase of the project.

- b)                      Green Development. Applicant can receive an additional policy priority point for green development if they fulfill the requirements for use of Energy Star appliances and projects above and meet one of the following guidelines, in addition to committing to use the HUD/PIH Benchmark Tool:

- Energy Star Plus Indoor Air Package
- Energy Star Advanced New Home Construction
- Enterprise Green Communities Initiative
- National Association of Builders Green building Initiative
- Leadership in energy and Env. Design

(LEEDS)

The Applicant strongly supports HUD's efforts to make the buildings more energy efficient and less costly to operate. In support of this goal, the Applicant is committing to the following:

- All appliances and equipment will have the Energy Star label.
- The design of the structure shall exceed ASHRAE 90.1-2007 by 20 percent.
- A Heat Load Analysis, in addition to a Life Cycle Cost Analysis, will be completed during the design phase.
- The project will be certified as a "Green Development" as recognized by one of the five listed green rating programs (the specific green rating program will be determined during the design phase).
- The Applicant commits to utilizing the HUD/PIH Benchmark Tool during the post-construction phase to quantify energy savings.

In anticipation of these design commitments the Applicant's design team has already commenced discussions on how to design/construct an energy efficient structure. The team has determined that durable, high quality materials shall be used throughout the project. The use of these materials will not appreciably affect the overall cost but will instead reduce long-term maintenance, repairs and replacement costs. The following represents a sampling of the energy-saving, high quality materials to be used:

- ▶ Aluminum windows with a high performance rating. (A-A2-HP)
- ▶ Elastomeric paints on exterior walls
- ▶ R-32 insulation in attics and roofs
- ▶ R-19 insulation in exterior walls
- ▶ Semi-gloss enamel paints in all public areas to reduce wear and maintenance
- ▶ High efficiency HVAC units to reduce energy consumption
- ▶ All windows will be equipped with vertical blinds for glare control and to minimize solar heat gain.
- ▶ High performance Insulated glass will be used in all openings to reduce solar gain.
- ▶ *Use of Energy Star appliances throughout the project.*

Large roof overhangs, along with blinds and tinted glazing will reduce the heat gain at all window areas. The project will utilize the latest technology in air conditioning units with EER ratings of 12 or above will be utilized. We will also increase the R-value of insulation at the exterior walls and roofs, thus reducing the buildings heat gain. High efficiency water heaters, insulated hot water piping and energy saving light fixture and lamps will be utilized throughout.

Shade trees will be carefully placed to act as a natural sun screening elements. Exterior lighting will be placed on photoelectric cells to assure that they are operational only when necessary.

When combined, the above measures will create a significant energy savings.

The proposed structural system of masonry bearing walls with prestressed, precast, hollow core floor slabs is both cost efficient and innovative. This hollow core slab system utilizes less concrete than traditional, cast in place, flat slab structural systems and provides for faster erection time. Structural integrity is not compromised. Because these slabs are only 6" thick, the height of the building can also be reduced. In addition there is no need for drywall ceiling finishes. The underside of the slab is simply sprayed with a textured coating and integral latex paint, creating a handsome textured surface ideal for bedroom and living room areas. The end result will be a project that is both energy and cost efficient and one that does not compromise on quality or maintainability.

### ***Construction Efficiency***

Repetition is the key to efficient construction. All one-bedroom units (with the exception of handicapped units) are identical. This repetition extends to doors, windows, hardware, plumbing fixtures, cabinets, electrical panels, lights, air conditioning components, and lengths of floor trusses.

Common parts reduce construction time and lead to cost efficiency. Many of the components above will apply to the handicapped apartments.

Stacking units above each other contributes to further efficiency such as stacking of plumbing lines.

Component framing will be incorporated to reduce construction time and increase quality. Concrete plank floor system will speed the time of construction.

All doors, including exterior metal doors and frames, will be pre-hung to reduce labor costs.

Where code permits, multiple vents will be joined at common chases to reduce material cost and labor.

MSB type interior molding and trim will be used to reduce costs.

### **DESIGN AND COST FACTORS**

The project will be designed in compliance with the DHUD cost containment and modest design standards. The Sponsor is unaware of any, but should be determined that any of the existing property features and amenities are not approvable, the Sponsor will assume any incremental cost should it exceed the development cost limit for this project.

The facility would have the following design features to reduce construction cost and future maintenance:

- Flat slab construction utilizing the floor as a ceiling for the unit below.
- Minimize the need for plumbing by putting kitchens and bathrooms back-to-back.
- Use an open floor plan and bright color scheme to provide the illusion that the units is larger.

The Sponsor is keenly aware that HUD funding is tight and the chances for amendment funds are limited. Given this, the Sponsor has secured a preliminary construction budget from Paul J. Sierra Construction, the GC who has completed numerous Section 202 projects for the Sponsor. From this GC estimate, a preliminary total development budget was prepared (both can be found at the end of this Exhibit). It should be noted that the Sponsor has received financial commitments to assist in the development of this project (see Exhibit 3c). Even when assembling a conservative development budget, the Sponsor is projecting surplus to use toward project improvements or unforeseen construction costs. This exercise was intended to demonstrate the viability of this proposed project from a budget standpoint.

## **NEIGHBORHOOD NETWORKS FEATURES**

The project proposes to incorporate mechanical system specification so that each living unit, a designated community room and the office spaces will feature cable wiring, phone/modem jacks and electrical wiring that can accommodate various computer technologies. In this way, residents can receive on-site training in the use of personal computers and accessing the Internet and/or have the ability to install and use personal computers in their apartments. Thus, residents can have the opportunity to achieve computer literacy, which can greatly enhance the quality of one's life in this "Information Age" and lead to employment opportunities, if one chooses.

## **STAFF**

The Sponsor will be overseeing the management of the project upon its completion and the project will likely utilize SPM, Inc. as the management entity. SPM, Inc. is currently managing all the Diocese of Venice HUD 202 projects.

## **VISABILITY AND UNIVERSAL DESIGN**

The proposed units will fully embrace the concept of visitability with 100 percent of the units incorporating visitability standards. These include the entrance to the ground floor is at grade and approached by accessible routes including sidewalks. All units will have a minimum door width, including interior passage, of at least 2 feet 10 inches, allowing 32 inches of clear passage space. Additionally, all units will have at a 32" clear path to the commode. The bathroom doors will be hinged to swing out rather than in to provide more room and give the guest enough room to shut the door.

One of the goals of HUD is to promote universal design in all of its Section 811/202 projects. Universal Design, as defined by the Center of Universal Design, is to "design products and environments to be usable by all people, to the greatest extent possible, without the need for

adaptation or specialized design.” The proposed project will be designed in a manner consistent with the Center of Universal Design’s Principles which include:

**Principle One of Equitable Use:** The design is useful and marketable to people with diverse abilities.

- Provide the same means of use for all users: identical whenever possible; equivalent when not.
- Avoid segregating or stigmatizing any users.
- Provisions for privacy, security, and safety should be equally available to all users.
- Make the design appealing to all users.

**Principle Two of Flexibility in Use:** The design accommodates a wide range of individual preferences and abilities.

- Provide choice in methods of use.
- Facilitate the user’s accuracy and precision.
- Provide adaptability to the user’s pace.

**Principle Three of Simple and Intuitive Use:** Use of the design is easy to understand, regardless of the user’s experience, knowledge, language skills, or current concentration level.

- Eliminate unnecessary complexity.
- Accommodate a wide range of literacy and language skills.
- Arrange information consistent with its importance.

**Principle Four of Perceptible Information:** The design communicates necessary information effectively to the user, regardless of ambient conditions or the user’s sensory abilities.

- Use different modes (pictorial, verbal, tactile) for redundant presentation of essential information.
- Provide adequate contrast between essential information and its surroundings.
- Maximize "legibility" of essential information.
- Provide compatibility with a variety of techniques or devices used by people with sensory limitations.

**Principle Five of Tolerance for Error:** The design minimizes hazards and the adverse consequences of accidental or unintended actions.

- Arrange elements to minimize hazards and errors: most used elements, most accessible; hazardous elements eliminated, isolated, or shielded.
- Provide warnings of hazards and errors.

Principle Six of Low Physical Effort: The design can be used efficiently and comfortably and with a minimum of fatigue.

- Use reasonable operating forces.
- Minimize repetitive actions.
- Minimize sustained physical effort.

Principle Seven of Size and Space for Approach and Use: Appropriate size and space is provided for approach, reach, manipulation, and use regardless of user's body size, posture, or mobility.

- Provide a clear line of sight to important elements for any seated or standing user.
- Make reach to all components comfortable for any seated or standing user.
- Provide adequate space for the use of assistive devices or personal assistance.

**ARCHITECT'S  
PROJECT NARRATIVE  
SITE/UNIT PLANS**